

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 692**  
**96TH GENERAL ASSEMBLY**

5469L.04C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 50.622, 50.660, 50.783, 52.230, 52.240, 64.170, 66.010, 67.320, 67.548, 67.1018, 67.2010, 79.050, 79.055, 94.902, 137.010, 137.556, 140.010, 140.150, 140.170, 140.470, 140.530, 141.210, 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 141.480, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770, 141.790, 143.782, 143.790, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 192.300, 204.455, 205.042, 301.260, 302.341, 304.120, 313.321, 321.690, 339.501, 650.320, 650.325, 650.330, and 650.340, RSMo, and section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, and to enact in lieu thereof eighty-nine new sections relating to political subdivisions, with penalty provisions and an emergency clause for a certain section.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 50.622, 50.660, 50.783, 52.230, 52.240, 64.170, 66.010, 67.320, 2 67.548, 67.1018, 67.2010, 79.050, 79.055, 94.902, 137.010, 137.556, 140.010, 140.150, 3 140.170, 140.470, 140.530, 141.210, 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 4 141.480, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770, 141.790, 143.782, 5 143.790, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 192.300, 204.455, 205.042, 6 301.260, 302.341, 304.120, 313.321, 321.690, 339.501, 650.320, 650.325, 650.330, and 650.340, 7 RSMo, and section 141.530 as enacted by senate committee substitute for house substitute for 8 house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, 9 second regular session, and section 141.530 as enacted by conference committee substitute no.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

10 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second  
11 regular session, are repealed and eighty-nine new sections enacted in lieu thereof, to be known  
12 as sections 44.035, 50.622, 50.660, 50.783, 52.230, 52.240, 64.170, 66.010, 67.136, 67.313,  
13 67.320, 67.548, 67.1018, 67.2010, 71.009, 79.050, 79.055, 94.902, 137.010, 137.556, 140.010,  
14 140.150, 140.170, 140.470, 140.530, 141.210, 141.220, 141.250, 141.290, 141.300, 141.320,  
15 141.410, 141.480, 141.530, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770,  
16 141.785, 141.790, 141.980, 141.981, 141.982, 141.983, 141.984, 141.985, 141.988, 141.991,  
17 141.994, 141.997, 141.1000, 141.1003, 141.1006, 141.1009, 141.1012, 141.1015, 143.782,  
18 143.789, 143.790, 190.335, 190.411, 190.415, 190.445, 192.300, 204.455, 205.042, 301.260,  
19 302.341, 304.120, 311.205, 313.321, 321.690, 339.501, 442.404, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,  
20 and 12, to read as follows:

**44.035. The name, address, and Social Security Number, as well as any other  
2 personal identifying information that is utilized in a voluntary registry of persons with  
3 health-related ailments created by a public governmental body to assist individuals in case  
4 of a disaster or emergency, shall not be considered a public record under the provisions of  
5 chapter 610. Nothing in this section shall authorize a public governmental body to deny  
6 a lawful request for such name, address, Social Security number, or other personal  
7 identifying information from a law enforcement agency or any public governmental body  
8 that provides firefighting, medical or other emergency services.**

50.622. 1. Any county may amend the annual budget during any fiscal year in which the  
2 county receives additional funds, and such amount or source, including but not limited to, federal  
3 or state grants or private donations, could not be estimated when the budget was adopted. The  
4 county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption  
5 of the annual budget to amend its budget during a fiscal year.

6 **2. Any county may decrease the annual budget twice during any fiscal year in  
7 which the county experiences a verifiable decline in funds of two percent or more, and such  
8 amount could not be estimated or anticipated when the budget was adopted, provided that  
9 any decrease in appropriations shall not unduly affect any one officeholder. Before any  
10 reduction affecting an independently elected officeholder can occur, negotiations shall take  
11 place with all officeholders who receive funds from the affected category of funds in an  
12 attempt to cover the shortfall. The county shall follow the same procedures as required in  
13 sections 50.525 to 50.745 to decrease the annual budget, except that the notice provided for  
14 in section 50.600 shall be extended to thirty days for purposes of this subsection. Such  
15 notice shall include a published summary of the proposed reductions and an explanation  
16 of the shortfall.**

17 **3. Any decrease in an appropriation authorized under subsection 2 of this section  
18 shall not impact any dedicated fund otherwise provided by law.**

19           **4. County commissioners may reduce budgets of departments under their direct**  
20 **supervision and responsibility at any time without the restrictions imposed by this section.**

21           **5. Subsections 2, 3, and 4 of this section shall expire on July 1, 2015.**

22           **6. Notwithstanding the provisions of this section, no charter county shall be**  
23 **restricted from amending its budget pursuant to the terms of its charter.**

50.660. 1. All contracts shall be executed in the name of the county, or in the name of  
2 a township in a county with a township form of government, by the head of the department or  
3 officer concerned, except contracts for the purchase of supplies, materials, equipment or services  
4 other than personal made by the officer in charge of purchasing in any county or township having  
5 the officer. No contract or order imposing any financial obligation on the county or township  
6 is binding on the county or township unless it is in writing and unless there is a balance  
7 otherwise unencumbered to the credit of the appropriation to which it is to be charged and a cash  
8 balance otherwise unencumbered in the treasury to the credit of the fund from which payment  
9 is to be made, each sufficient to meet the obligation incurred and unless the contract or order  
10 bears the certification of the accounting officer so stating; except that in case of any contract for  
11 public works or buildings to be paid for from bond funds or from taxes levied for the purpose  
12 it is sufficient for the accounting officer to certify that the bonds or taxes have been authorized  
13 by vote of the people and that there is a sufficient unencumbered amount of the bonds yet to be  
14 sold or of the taxes levied and yet to be collected to meet the obligation in case there is not a  
15 sufficient unencumbered cash balance in the treasury. All contracts and purchases shall be let  
16 to the lowest and best bidder after due opportunity for competition, including advertising the  
17 proposed letting in a newspaper in the county or township with a circulation of at least five  
18 hundred copies per issue, if there is one, except that the advertising is not required in case of  
19 contracts or purchases involving an expenditure of less than six thousand dollars. It is not  
20 necessary to obtain bids on any purchase in the amount of four thousand five hundred dollars or  
21 less made from any one person, firm or corporation during any period of ninety days, **or, if the**  
22 **county is any county of the first classification with more than one hundred fifty thousand**  
23 **but fewer than two hundred thousand inhabitants or any county of the first classification**  
24 **with more than two hundred sixty thousand but fewer than three hundred thousand**  
25 **inhabitants or any county of the second classification with more than seventy-five thousand**  
26 **but fewer than one hundred thousand inhabitants**, it is not necessary to obtain bids on such  
27 purchases in the amount of six thousand dollars or less. All bids for any contract or purchase  
28 may be rejected and new bids advertised for. Contracts which provide that the person  
29 contracting with the county or township shall, during the term of the contract, furnish to the  
30 county or township at the price therein specified the supplies, materials, equipment or services  
31 other than personal therein described, in the quantities required, and from time to time as ordered  
32 by the officer in charge of purchasing during the term of the contract, need not bear the

33 certification of the accounting officer, as herein provided; but all orders for supplies, materials,  
34 equipment or services other than personal shall bear the certification. In case of such contract,  
35 no financial obligation accrues against the county or township until the supplies, materials,  
36 equipment or services other than personal are so ordered and the certificate furnished.

37 2. Notwithstanding the provisions of subsection 1 of this section to the contrary,  
38 advertising shall not be required in any county in the case of contracts or purchases involving an  
39 expenditure of less than six thousand dollars.

50.783. 1. The county commission may waive the requirement of competitive bids or  
2 proposals for supplies when the commission has determined in writing and entered into the  
3 commission minutes that there is only a single feasible source for the supplies. Immediately  
4 upon discovering that other feasible sources exist, the commission shall rescind the waiver and  
5 proceed to procure the supplies through the competitive processes as described in this chapter.  
6 A single feasible source exists when:

7 (1) Supplies are proprietary and only available from the manufacturer or a single  
8 distributor; or

9 (2) Based on past procurement experience, it is determined that only one distributor  
10 services the region in which the supplies are needed; or

11 (3) Supplies are available at a discount from a single distributor for a limited period of  
12 time.

13 2. On any single feasible source purchase where the estimated expenditure is three  
14 thousand dollars or over, the commission shall post notice of the proposed purchase. Where the  
15 estimated expenditure is five thousand dollars or over, the commission shall also advertise the  
16 commission's intent to make such purchase in at least one daily and one weekly newspaper of  
17 general circulation in such places as are most likely to reach prospective bidders or offerors and  
18 may provide such information through an electronic medium available to the general public at  
19 least ten days before the contract is to be let.

20 **3. Notwithstanding subsection 2 of this section to the contrary, on any single**  
21 **feasible service purchase by any county of the first classification with more than one**  
22 **hundred fifty thousand but fewer than two hundred thousand inhabitants or any county**  
23 **of the second classification with more than seventy-five thousand but fewer than one**  
24 **hundred thousand inhabitants or any county of the first classification with more than two**  
25 **hundred sixty thousand but fewer than three hundred thousand inhabitants where the**  
26 **estimated expenditure is six thousand dollars or over, the commission shall post notice of**  
27 **the proposed purchase and advertise the commission's intent to make such purchase in at**  
28 **least one daily and one weekly newspaper of general circulation in such places as are most**  
29 **likely to reach prospective bidders or offerors and may provide such information through**

30 **an electronic medium available to the general public at least ten days before the contract**  
31 **is to be let.**

52.230. 1. Each year the collectors of revenue in all counties of the first class not having  
2 a charter form of government, and in all second, third and fourth class counties of the state, not  
3 under township organization, shall mail to all resident taxpayers, at least thirty days prior to  
4 delinquent date, a statement of all real and tangible personal property taxes due and assessed on  
5 the current tax books in the name of the taxpayers. Such statement shall also include the amount  
6 of real and tangible personal property taxes delinquent at the time of the mailing of the statement,  
7 including any interest and penalties associated with the delinquent taxes. Such statement shall  
8 declare upon its face, or by an attachment thereto, that they are delinquent at the time such  
9 statement is mailed for an amount of real or tangible personal property taxes, or both. A  
10 collector of revenue or other collection authority charged with the duty of tax or license  
11 collection may refuse to accept payment not accompanied by such statement. Refusal by the  
12 collector of revenue to accept payment not accompanied by such statement shall not relieve or  
13 delay the levy of interest and penalty on any overdue unpaid tax or license. Collectors shall also  
14 mail tax receipts for all the taxes received by mail.

15 **2. The collectors of revenue may electronically transmit the statement required**  
16 **under subsection 1 of this section to the electronic address provided and authorized by the**  
17 **taxpayer to the collector of revenue. Any electronic address provided by a taxpayer to the**  
18 **collector of revenue shall be a closed record under chapter 610.**

52.240. 1. The statement and receipt required by section 52.230 shall be mailed to the  
2 address of the taxpayer as shown by the county assessor on the current tax books, and postage  
3 for the mailing of the statements and receipts shall be furnished by the county commission **or the**  
4 **statement and receipt may be electronically transmitted to the electronic address provided**  
5 **and authorized by the taxpayer to the collector of revenue.** The failure of the taxpayer to  
6 receive the notice provided for in section 52.230 in no case relieves the taxpayer of any tax  
7 liability imposed by law.

8 **2. No penalty or interest imposed under any law shall be charged on any real or**  
9 **personal property tax when the county collector certifies due to system failures or other**  
10 **reason that the statement required by section 52.230 was mailed less than thirty days prior**  
11 **to the delinquent date and the taxpayer paid taxes owed by fifteen days after the**  
12 **delinquent date or fifteen days after the certified mailing date, whichever is later.**

13 **3. No penalty or interest imposed under any law shall be charged on any real or personal**  
14 **property tax when there is clear and convincing evidence that the county made an error or**  
15 **omission in determining taxes owed by a taxpayer.**

16 **[2.] 4. Any taxpayer claiming that the county made an error or omission in determining**  
17 **taxes owed may submit a written request for a refund of penalties, interest, or taxes to the county**

18 commission or governing body of the county. If the county commission or governing body of  
19 the county approves the refund, then such penalties, interest, or taxes shall be refunded as  
20 provided in [subsection 6 of] section 139.031. The county commission shall approve or  
21 disapprove the taxpayer's written request within thirty days of receiving said request. The county  
22 collector shall refund penalties, interest, and taxes if the county made an error or omission in  
23 determining taxes owed by the taxpayer.

24 [3.] 5. Nothing in this section shall relieve a taxpayer from paying taxes owed by  
25 December thirty-first and paying penalties and interest owed for failing to pay all taxes by  
26 December thirty-first, **except as provided with regard to penalties and interest by subsection**  
27 **2 of this section.**

64.170. 1. For the purpose of promoting the public safety, health and general welfare,  
2 to protect life and property [and] , to prevent the construction of fire hazardous buildings, **and**  
3 **to promote energy efficiency**, the county commission in all counties [of the first and second  
4 classification], as provided by law, is for this purpose empowered, subject to the provisions of  
5 subsections 2 and 3 of this section, to adopt by order or ordinance regulations to control the  
6 construction, reconstruction, alteration or repair of any building or structure and any electrical  
7 wiring or electrical installation, plumbing or drain laying therein, and provide for the issuance  
8 of building permits and adopt regulations licensing persons, firms or corporations other than  
9 federal, state or local governments, public utilities and their contractors engaged in the business  
10 of electrical wiring or installations and provide for the inspection thereof and establish a schedule  
11 of permit, license and inspection fees and appoint a building commission to prepare the  
12 regulations, as herein provided.

13 2. Any county which has not adopted a building code prior to August 28, 2001, pursuant  
14 to sections 64.170 to 64.200, shall not have the authority to adopt a building code pursuant to  
15 such sections unless the authority is approved by voters, subject to the provisions of subsection  
16 3 of this section. The ballot of submission for authority pursuant to this subsection shall be in  
17 substantially the following form:

18 Shall ..... (insert name of county) have authority to create, adopt  
19 and impose a county building code?

20  YES  NO

21 3. The proposal of the authority to adopt a building code shall be voted on only by voters  
22 in the area affected by the proposed code, such that a code affecting a county shall not be voted  
23 upon by citizens of any incorporated territory.

66.010. 1. Any county framing and adopting a charter for its own government under the  
2 provisions of section 18, article VI of the constitution of this state, may prosecute and punish  
3 violations of its county ordinances in the circuit court of such counties in the manner and to the  
4 extent herein provided or in a county municipal court. In addition, the county may prosecute and

5 punish municipal ordinance violations in the county municipal court pursuant to a contract with  
6 any municipality within the county. Any county municipal court established pursuant to the  
7 provisions of this section shall have jurisdiction over violations of that county's ordinances and  
8 the ordinances of municipalities with which the county has a contract to prosecute and punish  
9 violations of municipal ordinances of the city. Costs and procedures in any such county  
10 municipal court shall be governed by the provisions of law relating to municipal ordinance  
11 violations in municipal divisions of circuit courts.

12         2. In any county which has elected to establish a county municipal court pursuant to this  
13 section, the judges for such court shall be appointed by the county executive of such county,  
14 subject to confirmation by the legislative body of such county in the same manner as  
15 confirmation for other county appointed officers. The number of judges appointed, and  
16 qualifications for their appointment, shall be established by ordinance of the county.

17         3. The number of divisions of such county municipal court and its term shall be  
18 established by ordinance of the county.

19         4. Except in any county with a charter form of government and with more than six  
20 hundred thousand but fewer than seven hundred thousand inhabitants, the ordinance of the  
21 county shall provide for regular sessions of court in the evening hours after 6:00 p.m. and at  
22 locations outside the county seat. In any county with a charter form of government and with  
23 more than six hundred thousand but fewer than seven hundred thousand inhabitants, the  
24 ordinance of the county may provide for regular sessions of court in the evening hours after 6:00  
25 p.m. and at locations outside the county seat.

26         5. Judges of the county municipal court shall be licensed to practice law in this state and  
27 shall [be residents of the county in which they serve] **meet any other requirements established**  
28 **by ordinance.** Municipal court judges shall not accept or handle cases in their practice of law  
29 which are inconsistent with their duties as a municipal court judge and shall not be a judge or  
30 prosecutor for any other court.

31         6. In establishing the county municipal court, provisions shall be made for appropriate  
32 circumstances whereby defendants may enter not guilty pleas and obtain trial dates by telephone  
33 or written communication without personal appearance, or to plead guilty and deliver by mail  
34 or electronic transfer or other approved method the specified amount of the fine and costs as  
35 otherwise provided by law, within a specified period of time.

36         7. In a county municipal court established pursuant to this section, the county may  
37 provide by ordinance for court costs not to exceed the sum which may be provided by  
38 municipalities for municipal violations before municipal courts. The county municipal judge  
39 may assess costs against a defendant who pleads guilty or is found guilty except in those cases  
40 where the defendant is found by the judge to be indigent and unable to pay the costs. The costs  
41 authorized in this subsection are in addition to service costs, witness fees and jail costs that may

42 otherwise be authorized to be assessed, but are in lieu of other court or judge costs or fees. Such  
43 costs shall be collected by the authorized clerk and deposited into the county treasury.

44 8. Provisions shall be made for recording of proceedings, except that if such proceedings  
45 are not recorded, then, in that event, a person aggrieved by a judgment of a traffic judge or  
46 commissioner shall have the right of a trial de novo. The procedures for perfecting the right of  
47 a trial de novo shall be the same as that provided under sections 512.180 to 512.320, except that  
48 the provisions of subsection 2 of section 512.180 shall not apply to such cases. In the event that  
49 such proceedings are recorded, all final decisions of the county municipal court shall be  
50 appealable on such record to the appellate court with appropriate jurisdiction.

51 9. Any person charged with the violation of a county ordinance in a county which has  
52 established a county municipal court under the provisions of this section shall, upon request, be  
53 entitled to a trial by jury before a county municipal court judge. Any jury trial shall be heard  
54 with a record being made.

55 10. In the event that a court is established pursuant to this section, the circuit judges of  
56 the judicial circuit with jurisdiction within that county may authorize the judges of the county  
57 municipal court to act as commissioners to hear in the first instance nonfelony violations of state  
58 law involving motor vehicles as provided by local rule.

**67.136. 1. Notwithstanding any other provisions to the contrary, any local  
2 governmental agency may utilize collections agencies to collect any debt as defined in this  
3 section.**

**4 2. For purposes of this section, the following terms shall mean:**

**5 (1) "Debt", any court or administrative fines or costs associated with a criminal  
6 conviction or entry of a civil judgment which are legally owed and enforceable, and which  
7 are past due and remain uncollected;**

**8 (2) "Debtor", any individual or entity owing a debt.**

**67.313. 1. If approved by a majority of the voters voting on the proposal, any city,  
2 town, village, sewer district, or water supply district located within this state may, by order  
3 or ordinance, levy and impose annually, upon lateral sewer service lines providing sewer  
4 service to residential property having four or fewer dwelling units within the jurisdiction  
5 of such city, town, village, sewer district, or water supply district, a fee not to exceed four  
6 dollars per month or forty-eight dollars annually.**

**7 2. The ballot of submission shall be in substantially the following form:**

**8 For the purpose of repair or replacement of lateral sewer service lines extending  
9 from the residential dwelling to its connection with the public sewer system line, due to  
10 failure of the line, shall ..... (city, town, village, sewer district, or water supply district) be  
11 authorized to impose a fee not to exceed four dollars per month or forty-eight dollars  
12 annually on residential property for each lateral sewer service line providing sewer service**

13 within the (city, town, village, sewer district, or water supply district) to residential  
14 property having four or fewer dwelling units for the purpose of paying for the costs of  
15 necessary lateral sewer service line repairs or replacements?

16 3. For the purpose of this section, a lateral sewer service line may be defined by  
17 local order or ordinance, but shall not include more than the portion of the sewer line  
18 which extends from the sewer mains owned by the utility or municipality to the point of  
19 entry into the premises receiving sewer service, and may not include facilities owned by the  
20 utility or municipality. For purposes of this section, repair may be defined and limited by  
21 local ordinance, and may include replacement or repairs.

22 4. If a majority of the voters voting thereon approve the proposal authorized in  
23 subsection 1 of this section, the governing body of the city, town, village, sewer district, or  
24 water supply district may enact an order or ordinance for the collection of such fee. The  
25 funds collected under such ordinance shall be deposited in a special account to be used  
26 solely for the purpose of paying for the reasonable costs associated with and necessary to  
27 administer and carry out the lateral sewer service line repairs as defined in the order or  
28 ordinance and to reimburse the necessary costs of lateral sewer service line repair or  
29 replacement. All interest generated on deposited funds shall be accrued to the special  
30 account established for the repair of lateral sewer service lines.

31 5. The city, town, village, sewer district, or water supply district may establish, as  
32 provided in the order or ordinance, regulations necessary for the administration of  
33 collections, claims, repairs, replacements and all other activities necessary and convenient  
34 for the implementation of any order or ordinance adopted and approved under this  
35 section. The city, town, village, sewer district, or water supply district may administer the  
36 program or may contract with one or more persons, through a competitive process, to  
37 provide for administration of any portion of implementation activities of any order or  
38 ordinance adopted and approved under this section, and reasonable costs of administering  
39 the program may be paid from the special account established under this section not to  
40 exceed five percent of the fund on an annual basis.

41 6. Notwithstanding any other provision of law to the contrary, the collector in any  
42 city, town, village, sewer district, or water supply district that adopts an order or ordinance  
43 under this section, who now or hereafter collects any fee to provide for, ensure or  
44 guarantee the repair of lateral sewer service lines, may add such fee to the general tax levy  
45 bills of property owners within the city, town, village, sewer district, or water supply  
46 district. All revenues received on such combined bill which are for the purpose of  
47 providing for, ensuring or guaranteeing the repair of lateral sewer service lines shall be  
48 separated from all other revenues so collected and credited to the appropriate fund or  
49 account of the city, town, village, sewer district, or water supply district. The collector of

50 **the city, town, village, sewer district, or water supply district may collect such fee in the**  
51 **same manner and to the same extent as the collector now or hereafter may collect**  
52 **delinquent real estate taxes and tax bills.**

67.320. 1. Any county of the first classification [with more than one hundred  
2 ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants]  
3 may prosecute and punish violations of its county orders in the circuit court of such counties in  
4 the manner and to the extent herein provided or in a county municipal court if creation of a  
5 county municipal court is approved by order of the county commission. The county may adopt  
6 orders with penal provisions consistent with state law, but only in the areas of traffic violations,  
7 solid waste management, county building codes, on-site sewer treatment, zoning orders, and  
8 animal control. Any county municipal court established pursuant to the provisions of this section  
9 shall have jurisdiction over violations of that county's orders and the ordinances of municipalities  
10 with which the county has a contract to prosecute and punish violations of municipal ordinances  
11 of the municipality.

12 **2. Except as provided in subsection 5 of this section** in any county which has elected  
13 to establish a county municipal court pursuant to this section, the judges for such court shall be  
14 appointed by the county commission of such county, subject to confirmation by the legislative  
15 body of such county in the same manner as confirmation for other county appointed officers.  
16 The number of judges appointed, and qualifications for their appointment, shall be established  
17 by order of the commission.

18 3. The practice and procedure of each prosecution shall be conducted in compliance with  
19 all of the terms and provisions of sections 66.010 to 66.140, except as provided for in this  
20 section.

21 4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with  
22 the term order for purposes of this section.

23 **5. In any county of the first classification with more than one hundred one**  
24 **thousand but fewer than one hundred fifteen thousand inhabitants the first judges shall**  
25 **be appointed by the county commission for a term of four years, and thereafter the judges**  
26 **shall be elected for a term of four years. The number of judges appointed, and**  
27 **qualifications for their appointment, shall be established by order of the commission.**

67.548. 1. In any first or second class county not having a charter form of government,  
2 which contains all or any part of a city with a population of greater than four hundred thousand  
3 inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the  
4 county commission may:

5 (1) Reduce or eliminate the county general fund levy, the special road and bridge levy,  
6 or the park levy; [and]

7 (2) Grant county [sales tax] revenues to cities, towns and villages and to special road  
8 districts organized pursuant to chapter 233;

9 (3) **Enter into agreements with cities, towns, villages, and special road districts**  
10 **organized under chapter 233 for the purpose of working cooperatively on the roads and**  
11 **bridges located within the county, including the distribution of funds to such entities in**  
12 **addition to those funds described in subsection 2 of this section.**

13 2. [If the county commission reduces a special road and bridge tax levy pursuant to this  
14 section which results in a reduction of revenue available to a city, town or village or to a special  
15 road district organized pursuant to chapter 233, the commission shall in that year in which the  
16 reduction of revenue occurs set aside and place to the credit of each such entity sales tax  
17 revenues in an amount at least equal to that which each such entity would have otherwise been  
18 entitled from the special road and bridge tax levy, had it not been for such reduction. In  
19 subsequent years, each such entity shall receive from the county an amount of sales tax revenue  
20 equal to the amount of special road and bridge tax revenue that each such entity would have  
21 received in that year, but for the reduction in the special road and bridge tax. The county shall  
22 transfer such sales tax revenue to each such entity in twelve equal monthly installments during  
23 each year in which such entity is entitled to receive such sales tax revenue] **In any county in**  
24 **which the voters have approved a sales tax as provided by section 67.547, each city, town,**  
25 **village, and special road district organized under chapter 233 shall continue to receive its**  
26 **share of the county's special road and bridge levy, if any, that is annually considered by**  
27 **the county commission. In the event that the annual special road and bridge levy is not set**  
28 **at a level of at least fourteen cents on each one hundred dollars assessed valuation, the**  
29 **county commission shall allocate additional funds from any available county source to the**  
30 **cities, towns, villages, and special road districts located within the county in an amount that**  
31 **will, when combined with the revenues received from the special road and bridge levy,**  
32 **distribute funds to such entities in an amount that is at least equal to the funding level of**  
33 **fourteen cents on each one hundred dollars assessed valuation. Additionally, any city,**  
34 **town, or village which contains at least fifty percent of a special road district organized**  
35 **under chapter 233 shall be entitled to receive the road district's portion of any funds not**  
36 **paid through the special road and bridge levy. Any funds paid under this subsection shall**  
37 **be paid as if the funds were paid under the county's special road and bridge levy.**

67.1018. 1. The governing body of any county of the third classification without a  
2 township form of government and with more than five thousand nine hundred but fewer than six  
3 thousand inhabitants may impose a tax on the charges for all sleeping rooms, **RV sites, and**  
4 **campsites** paid by the transient guests of hotels [or] , motels, **lodges, bed and breakfasts,**  
5 **cabins, RV parks, and campgrounds** situated in the county or a portion thereof, which shall  
6 not be **less than two percent nor** more than five percent per occupied room, **RV site, and**

7 **campsite** per night, except that such tax shall not become effective unless the governing body  
 8 of the county submits to the voters of the county at a state general or primary election a proposal  
 9 to authorize the governing body of the county to impose a tax under this section. The tax  
 10 authorized in this section shall be in addition to the charge for the sleeping room, **RV site, or**  
 11 **campsite** and all other taxes imposed by law, and [fifty percent of] the proceeds of such tax shall  
 12 be used [by the county to fund law enforcement with the remaining fifty percent of such proceeds  
 13 to be used] to fund the promotion, **operation, and development** of tourism. Such tax shall be  
 14 stated separately from all other charges and taxes.

15 2. The ballot of submission for the tax authorized in this section shall be in substantially  
 16 the following form:

17 Shall ..... (insert the name of the county) impose a tax on the charges for all sleeping  
 18 rooms, **RV sites, and campsites** paid by the transient guests of hotels [and] , motels, **lodges, bed**  
 19 **and breakfasts, cabins, RV parks, and campgrounds** situated in ..... (name of county) at  
 20 a rate of ..... (insert rate of percent) percent for the [benefit of the county] **promotion, operation,**  
 21 **and development of tourism?**

22  YES  NO

23  
 24 If a majority of the votes cast on the question by the qualified voters voting thereon are in favor  
 25 of the question, then the tax shall become effective on the first day of the second calendar quarter  
 26 following the calendar quarter in which the election was held. If a majority of the votes cast on  
 27 the question by the qualified voters voting thereon are opposed to the question, then the tax  
 28 authorized by this section shall not become effective unless and until the question is resubmitted  
 29 under this section to the qualified voters of the county and such question is approved by a  
 30 majority of the qualified voters of the county voting on the question.

67.2010. 1. Any county of the first classification with more than eighty-two thousand  
 2 but less than eighty-two thousand one hundred inhabitants **and any county of the first**  
 3 **classification with more than two hundred sixty thousand but fewer than three hundred**  
 4 **thousand inhabitants** may elect to have the violations of county ordinances adopted pursuant  
 5 to [section 304.130] **the authority provided by statute** heard and determined by an associate  
 6 circuit judge of the circuit in which the county is located; provided, however, if such election is  
 7 made, all violations of that county's ordinances adopted pursuant to [section 304.130] **statutory**  
 8 **authority** shall be heard and determined before an associate circuit judge or judges. Nothing  
 9 in this subsection shall preclude the transfer or assignment of another judge to hear and  
 10 determine a case or class of cases when otherwise authorized by provisions of the constitution,  
 11 law, or court rule.

12 2. If a county elects to have the violations of its county ordinances [adopted pursuant to  
 13 section 304.130] heard and determined by an associate circuit judge, the associate circuit judge

14 or judges shall commence hearing and determining such violations six months after the county  
15 notifies the presiding judge of the circuit of its election. With the consent of the presiding judge,  
16 the associate circuit judge or judges may commence hearing such violations at an earlier date.

**71.009. Any municipality seeking a voluntary annexation shall have such request  
2 granted by the commission within fourteen days if such municipality demonstrates that:**

3 **(1) A majority of the property owners in the area sought to be annexed, if any,  
4 support such annexation;**

5 **(2) Such area is consistent with a boundary change proposal adopted by such  
6 municipality; and**

7 **(3) Such municipality is a service provider for both water and sanitary sewer  
8 service within the municipality.**

79.050. 1. The following officers shall be elected by the qualified voters of the city, and  
2 shall hold office for the term of two years, except as otherwise provided in this section, and until  
3 their successors are elected and qualified, to wit: mayor and board of aldermen. The board of  
4 aldermen may provide by ordinance, after the approval of a majority of the voters voting at an  
5 election at which the issue is submitted, for the appointment of a collector and for the  
6 appointment of a chief of police, who shall perform all duties required of the marshal by law, and  
7 any other police officers found by the board of aldermen to be necessary for the good government  
8 of the city. The marshal or chief of police shall be twenty-one years of age or older. If the board  
9 of aldermen does not provide for the appointment of a chief of police and collector as provided  
10 by this section, a city marshal, who shall be twenty-one years of age or older, and collector shall  
11 be elected[, and] . The board of aldermen may provide by ordinance **that the city marshal shall  
12 be appointed instead of elected, and** that the same person may be elected **or appointed**  
13 **marshal and collector, [at the same election,] and hold both offices at the same time,** and the  
14 board of aldermen may provide by ordinance for the election of city assessor, city attorney, city  
15 clerk and street commissioner, who shall hold their respective offices for a term of two years and  
16 until their successors shall be elected or appointed and qualified, except that the term of the city  
17 marshal shall be four years.

18 2. The board of aldermen may provide by ordinance, after the approval of a majority of  
19 the voters voting thereon at the next municipal election at which the issue is submitted, that the  
20 term of the collector shall be four years and the term of the mayor shall be two, three, or four  
21 years. Any person elected as collector after the passage of such an ordinance shall serve for a  
22 term of four years and until his successor is elected and qualified. Any person elected as mayor  
23 after the passage of such ordinance shall serve for a term of two, three, or four years, as provided,  
24 and until his successor is elected and qualified.

25 3. The board of aldermen may provide by ordinance that the term of the board of  
26 aldermen shall be four years. Such ordinance shall be submitted by the board to the voters of the

27 city and shall take effect only upon the approval of a majority of the voters voting at an election  
28 at which the issue is submitted. Any person elected to the board of aldermen after the passage  
29 of such an ordinance shall serve for a term of four years and until his successor is elected and  
30 qualified.

79.055. 1. Any person who is **appointed, or** elected **in a general election or in a**  
2 **special election**, to his first term as city marshal [in a general election or in a special election]  
3 in any fourth class city of this state shall, within six months of such **appointment or** election,  
4 cause to be filed with the city clerk of the city and director of the department of public safety  
5 proof that he has completed the training program formulated pursuant to sections 590.170 and  
6 590.175, or some other comparable training program of not less than one hundred twenty hours'  
7 instruction approved by the director of the department of public safety. If the newly **appointed**  
8 **or** elected city marshal is unable to complete the training program within six months due to the  
9 proper course not being available from the department of public safety, an extension may be  
10 granted until such a course is made available.

11 2. Whether any person **appointed or** elected to his first term as city marshal attends such  
12 a training program prior to or after assuming the duties of his office shall be left to the discretion  
13 of the governing body of the city from which he was **appointed or** elected. During the time that  
14 a [marshal-elect] **person** is enrolled in such a training program, he shall be hired as a city  
15 employee and receive as full compensation from the city from which he was elected,  
16 compensation at a rate equal to that of city marshal.

94.902. 1. **(1) The governing body of the following cities may impose a sales tax as**  
2 **provided in this section:**

3 **(a)** Any city of the third classification with more than twenty-six thousand three hundred  
4 but less than twenty-six thousand seven hundred inhabitants[, or] ;

5 **(b)** Any city of the fourth classification with more than thirty thousand three hundred but  
6 fewer than thirty thousand seven hundred inhabitants[, or] ;

7 **(c)** Any city of the fourth classification with more than twenty-four thousand eight  
8 hundred but fewer than twenty-five thousand inhabitants[.];

9 **(d) Any city of the third classification with more than four thousand but fewer than**  
10 **four thousand five hundred inhabitants and located in any county of the first classification**  
11 **with more than two hundred thousand but fewer than two hundred sixty thousand**  
12 **inhabitants.**

13 **(2) The governing body of any city listed in subdivision (1) of this subsection** may  
14 impose, by order or ordinance, a sales tax on all retail sales made in the city which are subject  
15 to taxation under chapter 144. The tax authorized in this section may be imposed in an amount  
16 of up to one-half of one percent, and shall be imposed solely for the purpose of improving the  
17 public safety for such city, including but not limited to expenditures on equipment, city employee

18 salaries and benefits, and facilities for police, fire and emergency medical providers. The tax  
 19 authorized in this section shall be in addition to all other sales taxes imposed by law, and shall  
 20 be stated separately from all other charges and taxes. The order or ordinance imposing a sales  
 21 tax under this section shall not become effective unless the governing body of the city submits  
 22 to the voters residing within the city, at a county or state general, primary, or special election, a  
 23 proposal to authorize the governing body of the city to impose a tax under this section.

24 2. The ballot of submission for the tax authorized in this section shall be in substantially  
 25 the following form:

26 Shall the city of ..... (city's name) impose a citywide sales tax at  
 27 a rate of ..... (insert rate of percent) percent for the purpose of improving the public safety of  
 28 the city?

29  YES  NO

30

31 If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed  
 32 to the question, place an "X" in the box opposite "NO". If a majority of the votes cast on the  
 33 proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance  
 34 or order and any amendments to the order or ordinance shall become effective on the first day  
 35 of the second calendar quarter after the director of revenue receives notice of the adoption of the  
 36 sales tax. If a majority of the votes cast on the proposal by the qualified voters voting thereon  
 37 are opposed to the proposal, then the tax shall not become effective unless the proposal is  
 38 resubmitted under this section to the qualified voters and such proposal is approved by a majority  
 39 of the qualified voters voting on the proposal. However, in no event shall a proposal under this  
 40 section be submitted to the voters sooner than twelve months from the date of the last proposal  
 41 under this section.

42 3. Any sales tax imposed under this section shall be administered, collected, enforced,  
 43 and operated as required in section 32.087. All sales taxes collected by the director of the  
 44 department of revenue under this section on behalf of any city, less one percent for cost of  
 45 collection which shall be deposited in the state's general revenue fund after payment of premiums  
 46 for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which  
 47 is hereby created in the state treasury, to be known as the "City Public Safety Sales Tax Trust  
 48 Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be  
 49 commingled with any funds of the state. The provisions of section 33.080 to the contrary  
 50 notwithstanding, money in this fund shall not be transferred and placed to the credit of the  
 51 general revenue fund. The director shall keep accurate records of the amount of money in the  
 52 trust fund and which was collected in each city imposing a sales tax under this section, and the  
 53 records shall be open to the inspection of officers of the city and the public. Not later than the  
 54 tenth day of each month the director shall distribute all moneys deposited in the trust fund during

55 the preceding month to the city which levied the tax. Such funds shall be deposited with the city  
 56 treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by  
 57 an appropriation act to be enacted by the governing body of each such city. Expenditures may  
 58 be made from the fund for any functions authorized in the ordinance or order adopted by the  
 59 governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the  
 60 special trust fund shall continue to be used solely for the designated purposes. Any funds in the  
 61 special trust fund which are not needed for current expenditures shall be invested in the same  
 62 manner as other funds are invested. Any interest and moneys earned on such investments shall  
 63 be credited to the fund.

64 4. The director of the department of revenue may authorize the state treasurer to make  
 65 refunds from the amounts in the trust fund and credited to any city for erroneous payments and  
 66 overpayments made, and may redeem dishonored checks and drafts deposited to the credit of  
 67 such cities. If any city abolishes the tax, the city shall notify the director of the action at least  
 68 ninety days before the effective date of the repeal, and the director may order retention in the  
 69 trust fund, for a period of one year, of two percent of the amount collected after receipt of such  
 70 notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and  
 71 drafts deposited to the credit of such accounts. After one year has elapsed after the effective date  
 72 of abolition of the tax in such city, the director shall remit the balance in the account to the city  
 73 and close the account of that city. The director shall notify each city of each instance of any  
 74 amount refunded or any check redeemed from receipts due the city.

75 5. The governing body of any city that has adopted the sales tax authorized in this section  
 76 may submit the question of repeal of the tax to the voters on any date available for elections for  
 77 the city. The ballot of submission shall be in substantially the following form:

78 Shall ..... (insert the name of the city) repeal the sales tax  
 79 imposed at a rate of ..... (insert rate of percent) percent for the purpose of improving the public  
 80 safety of the city?

81  YES  NO

82

83 If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become  
 84 effective on December thirty-first of the calendar year in which such repeal was approved. If a  
 85 majority of the votes cast on the question by the qualified voters voting thereon are opposed to  
 86 the repeal, then the sales tax authorized in this section shall remain effective until the question  
 87 is resubmitted under this section to the qualified voters, and the repeal is approved by a majority  
 88 of the qualified voters voting on the question.

89 6. Whenever the governing body of any city that has adopted the sales tax authorized in  
 90 this section receives a petition, signed by ten percent of the registered voters of the city voting  
 91 in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this

92 section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If  
93 a majority of the votes cast on the question by the qualified voters voting thereon are in favor of  
94 the repeal, that repeal shall become effective on December thirty-first of the calendar year in  
95 which such repeal was approved. If a majority of the votes cast on the question by the qualified  
96 voters voting thereon are opposed to the repeal, then the tax shall remain effective until the  
97 question is resubmitted under this section to the qualified voters and the repeal is approved by  
98 a majority of the qualified voters voting on the question.

99 7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall  
100 apply to the tax imposed under this section.

137.010. The following words, terms and phrases when used in laws governing taxation  
2 and revenue in the state of Missouri shall have the meanings ascribed to them in this section,  
3 except when the context clearly indicates a different meaning:

4 (1) "Grain and other agricultural crops in an unmanufactured condition" shall mean  
5 grains and feeds including, but not limited to, soybeans, cow peas, wheat, corn, oats, barley,  
6 kafir, rye, flax, grain sorghums, cotton, and such other products as are usually stored in grain and  
7 other elevators and on farms; but excluding such grains and other agricultural crops after being  
8 processed into products of such processing, when packaged or sacked. The term "processing"  
9 shall not include hulling, cleaning, drying, grating, or polishing;

10 (2) "Hydroelectric power generating equipment", very-low-head turbine generators with  
11 a nameplate generating capacity of at least four hundred kilowatts but not more than six hundred  
12 kilowatts and machinery and equipment used directly in the production, generation, conversion,  
13 storage, or conveyance of hydroelectric power to land-based devices and appurtenances used in  
14 the transmission of electrical energy;

15 (3) "Intangible personal property", for the purpose of taxation, shall include all property  
16 other than real property and tangible personal property, as defined by this section;

17 (4) "Real property" includes land itself, whether laid out in town lots or otherwise, and  
18 all growing crops, buildings, structures, improvements and fixtures of whatever kind thereon  
19 **including those which are not owned by the owner of the land upon which they are located,**  
20 hydroelectric power generating equipment, the installed poles used in the transmission or  
21 reception of electrical energy, audio signals, video signals or similar purposes, provided the  
22 owner of such installed poles is also an owner of a fee simple interest, possessor of an easement,  
23 holder of a license or franchise, or is the beneficiary of a right-of-way dedicated for public utility  
24 purposes for the underlying land; attached wires, transformers, amplifiers, substations, and other  
25 such devices and appurtenances used in the transmission or reception of electrical energy, audio  
26 signals, video signals or similar purposes when owned by the owner of the installed poles,  
27 otherwise such items are considered personal property; and stationary property used for

28 transportation of liquid and gaseous products, including, but not limited to, petroleum products,  
29 natural gas, water, and sewage;

30 (5) "Tangible personal property" includes every tangible thing being the subject of  
31 ownership or part ownership whether animate or inanimate, other than money, and not forming  
32 part or parcel of real property as herein defined, but does not include household goods, furniture,  
33 wearing apparel and articles of personal use and adornment, as defined by the state tax  
34 commission, owned and used by a person in his home or dwelling place.

137.556. 1. Notwithstanding the provisions of section 137.555, any county of the second  
2 class which now has or may hereafter have more than one hundred thousand inhabitants, and any  
3 county of the first class not having a charter form of government, shall expend not less than  
4 twenty-five percent of the moneys accruing to it from the county's special road and bridge tax  
5 levied upon property situated within the limits of any city, town or village within the county for  
6 the repair and improvement of existing roads, streets and bridges within the city, town or village  
7 from which such moneys accrued, **except that any county of the second classification with  
8 more than sixty-five thousand but fewer than seventy-five thousand inhabitants shall not  
9 be required to expend such moneys as prescribed in this section.**

10 2. The city council or other governing body of the city, town or village shall designate  
11 the roads, streets and bridges to be repaired and improved and shall specify the kinds and types  
12 of materials to be used.

13 3. The county commission may make and supervise the improvements or the city, town  
14 or village, with the consent and approval of the county commission, may provide for the repairs  
15 and improvement by private contract and, in either case, the county commission shall pay the  
16 costs thereof out of any funds available under the provisions of this section.

140.010. All real estate upon which the taxes remain unpaid on the first day of January,  
2 annually, are delinquent, and the county collector shall enforce the lien of the state thereon, as  
3 required by this chapter. Any failure to properly return the delinquent list, as required by this  
4 chapter, in no way affects the validity of the assessment and levy of taxes, nor of the foreclosure  
5 and sale by which the collection of the taxes is enforced, nor in any manner affects the lien of  
6 the state on the delinquent real estate for the taxes unpaid thereon. **As used in this chapter,  
7 "real estate" shall mean "real property" as defined in subsection (4) of section 137.010 and  
8 shall include real property improvements and fixtures which are not owned by the owner  
9 of the land upon which they are located. References in this chapter to real estate, property,  
10 tract, lot, land, or similar terms for real property subject to delinquent taxes shall be read,  
11 where reasonable and appropriate, to include real property improvements and fixtures  
12 which are not owned by the owner of the land upon which it is located.**

140.150. 1. All [lands] **real property as defined by subsection (4) of section 137.010,**  
2 lots, mineral rights, and royalty interests on which taxes or neighborhood improvement district

3 special assessments are delinquent and unpaid are subject to sale to discharge the lien for the  
4 delinquent and unpaid taxes or unpaid special assessments as provided for in this chapter on the  
5 fourth Monday in August of each year.

6         2. No real property **as defined by subsection (4) of section 137.010**, lots, mineral rights,  
7 or royalty interests shall be sold for state, county or city taxes or special assessments without  
8 judicial proceedings, unless the notice of sale contains the names of all record owners thereof,  
9 or the names of all owners appearing on the land tax book and all other information required by  
10 law. Delinquent taxes or unpaid special assessments, penalty, interest and costs due thereon may  
11 be paid to the county collector at any time before the property is sold therefor. The collector  
12 shall send notices to the publicly recorded owner of record before any delinquent and unpaid  
13 taxes or unpaid special assessments as specified in this section subject to sale are published. The  
14 first notice shall be by first class mail. A second notice shall be sent by certified mail only if the  
15 assessed valuation of the property is greater than one thousand dollars. If the assessed valuation  
16 of the property is not greater than one thousand dollars, only the first notice shall be required.  
17 If any second notice sent by certified mail under this section is returned to the collector unsigned,  
18 then notice shall be sent before the sale by first class mail to both the owner of record and the  
19 occupant of the real property. The postage for the mailing of the notices shall be paid out of the  
20 county treasury, and such costs shall be added to the costs of conducting the sale, and the county  
21 treasury shall be reimbursed to the extent that such postage costs are recovered at the sale. The  
22 failure of the taxpayer or the publicly recorded owner to receive the notice provided for in this  
23 section shall not relieve the taxpayer or publicly recorded owner of any tax liability imposed by  
24 law.

25         3. The entry in the back tax book by the county clerk of the delinquent [lands] **real**  
26 **property as defined by subsection (4) of section 137.010**, lots, mineral rights, and royalty  
27 interests constitutes a levy upon the delinquent lands, lots, mineral rights, and royalty interests  
28 for the purpose of enforcing the lien of delinquent and unpaid taxes or unpaid special  
29 assessments as provided in section 67.469, together with penalty, interest and costs.

140.170. 1. Except for lands described in subsection 7 of this section, the county  
2 collector shall cause a copy of the list of delinquent lands and lots to be printed in some  
3 newspaper of general circulation published in the county for three consecutive weeks, one  
4 insertion weekly, before the sale, the last insertion to be at least fifteen days prior to the fourth  
5 Monday in August.

6         2. In addition to the names of all record owners or the names of all owners appearing on  
7 the land tax book it is only necessary in the printed and published list to state in the aggregate  
8 the amount of taxes, penalty, interest and cost due thereon, each year separately stated.

9         3. To the list shall be attached and in like manner printed and published a notice of said  
10 lands and lots stating that said land and lots will be sold at public auction to discharge the taxes,

11 penalty, interest, and costs due thereon at the time of sale in or adjacent to the courthouse of such  
12 county, on the fourth Monday in August next thereafter, commencing at ten o'clock of said day  
13 and continuing from day to day thereafter until all are offered.

14 4. The county collector, on or before the day of sale, shall insert at the foot of the list on  
15 his record a copy of the notice and certify on his record immediately following the notice the  
16 name of the newspaper of the county in which the notice was printed and published and the dates  
17 of insertions thereof in the newspaper.

18 5. The expense of such printing shall be paid out of the county treasury and shall not  
19 exceed the rate provided for in chapter 493, relating to legal publications, notices and  
20 advertisements, and the cost of printing at the rate paid by the county shall be taxed as part of the  
21 costs of the sale of any land or lot contained in the list.

22 6. The county collector shall cause the affidavit of the printer, editor or publisher of the  
23 newspaper in which the list of delinquent lands and notice of sale was published, as provided by  
24 section 493.060, with the list and notice attached, to be recorded in the office of the recorder of  
25 deeds of the county, and the recorder shall not charge or receive any fees for recording the same.

26 7. The county collector may have a separate list of such lands, without legal descriptions  
27 or the names of the record owners, printed in a newspaper of general circulation published in  
28 such county for three consecutive weeks before the sale of such lands for a parcel or lot of land  
29 that:

30 (1) Has an assessed value of one thousand dollars or less and has been advertised  
31 previously; or

32 (2) Is a lot in a development of twenty or more lots and such lot has an assessed value  
33 of one thousand dollars or less. The notice shall state that legal descriptions and the names of  
34 the record owners of such lands shall be posted at any county courthouse within the county and  
35 the office of the county collector.

36 8. If, in the opinion of the county collector, an adequate legal description of the  
37 delinquent land and lots cannot be obtained through researching the documents available through  
38 the recorder of deeds, the collector may commission a professional land surveyor to prepare an  
39 adequate legal description of the delinquent land and lots in question. The costs of any  
40 commissioned land survey deemed necessary by the county collector shall be taxed as part of the  
41 costs of the sale of any land or lots contained in the list prepared under this section.

42 **9. If the county collector lists an improvement to real property or fixture which is**  
43 **not owned by the owner of the land upon which it is located, the county collector shall set**  
44 **out the parcel or locator number of the real property improvement or fixture, a legal**  
45 **description of the land upon which the improvement or fixture is located, and a clear**  
46 **statement that only the real property improvement or fixture is subject to sale or**  
47 **conveyance for taxes and not the underlying land.**

140.470. 1. In case circumstances should exist requiring any variation from the foregoing form, in the recital part thereof, the necessary change shall be made by the county collector executing such deed, and the same shall not be vitiated by any such change, provided the substance be retained. **Such circumstances shall include, but not be limited to, a description of a real property improvement or fixture which is not owned by the owner of the land upon which it is located, in which case the county collector shall provide the parcel or locator number of the improvement or fixture, the legal description of the underlying land, and a clear statement that only the real property improvement or fixture is being sold or conveyed.**

2. The county collector shall be entitled to demand and receive from the person applying therefor, for each tax deed, one dollar and fifty cents, which shall include the acknowledgment.

140.530. No sale or conveyance of land for taxes shall be valid if at the time of being listed such land shall not have been liable to taxation, or, if liable, the taxes thereon shall have been paid before sale, or if the description is so imperfect as to fail to describe the land or lot with reasonable certainty and for the first two enumerated causes, the money paid by the purchaser at such void sale shall be refunded, with interest, out of the county treasury, on order of the county commission. **When the county collector sells or conveys real property improvements or fixtures which are not owned by the owner of the land upon which they are located, such property shall be described with reasonable certainty if the county collector states the parcel or locator number of the improvement or fixture, the legal description of the underlying land, and a clear statement that only the real property improvement or fixture is being sold or conveyed.**

141.210. Sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall be known by the short title of "Land Tax Collection Law".

141.220. The following words, terms and definitions, when used in sections 141.210 to 141.810 **and sections 141.980 to 141.1015**, shall have the meanings ascribed to them in this section, except where the text clearly indicates a different meaning:

(1) **"Ancillary parcel" shall mean a parcel of real estate acquired by a land bank agency other than:**

(a) Pursuant to a deemed sale under subsection 3 of section 141.560;

(b) By deed from a land trust under subsection 1 of section 141.984; or

(c) Pursuant to a sale under subdivision (2) of subsection 2 of section 141.550;

(2) "Appraiser" shall mean a state licensed or certified appraiser licensed or certified pursuant to chapter 339 who is not an employee of the collector or collection authority;

[2)] (3) **"Board" or "board of commissioners" shall mean the board of commissioners of a land bank agency;**

13           (4) "Collector" shall mean the collector of the revenue in any county affected by sections  
14 141.210 to 141.810 **and sections 141.980 to 141.1015;**

15           [(3)] (5) "County" shall mean any county [of the first class] in this state having a charter  
16 form of government, any county of the first class [not having a charter form of government] with  
17 a population of at least one hundred fifty thousand but less than one hundred sixty thousand and  
18 any county of the first class [not having a charter form of government] with a population of at  
19 least eighty-two thousand but less than eighty-five thousand;

20           [(4)] (6) "Court" shall mean the circuit court of any county affected by sections 141.210  
21 to 141.810 **and sections 141.980 to 141.1015;**

22           [(5)] (7) "Delinquent land tax attorney" shall mean a licensed attorney-at-law, employed  
23 or designated by the collector as hereinafter provided;

24           [(6)] (8) **"Land bank agency", shall mean an agency created under section 141.980;**

25           (9) "Land taxes" shall mean taxes on real property or real estate and shall include the  
26 taxes both on land and the improvements thereon;

27           [(7)] (10) "Land trustees" and "land trust" shall mean the land trustees and land trust as  
28 the same are created by and described in section 141.700;

29           [(8)] (11) "Municipality" shall include any incorporated city or town, or a part thereof,  
30 located in whole or in part within a county of class one **or located in whole or in part within**  
31 **a county with a charter form of government**, which municipality now has or which may  
32 hereafter contain a population of two thousand five hundred inhabitants or more, according to  
33 the last preceding federal decennial census;

34           [(9)] (12) "Person" shall mean any individual, male or female, firm, copartnership, joint  
35 adventure, association, corporation, estate, trust, business trust, receiver or trustee appointed by  
36 any state or federal court, trustee otherwise created, syndicate, or any other group or combination  
37 acting as a unit, and the plural as well as the singular number;

38           [(10)] (13) **"Political subdivision" shall mean any county, city, town, village, school**  
39 **district, library district, or any other public subdivision or public corporation having the**  
40 **power to tax;**

41           (14) **"Reserve period taxes" shall mean land taxes assessed against any parcel of**  
42 **real estate sold or otherwise disposed of by a land bank agency for the first three tax years**  
43 **following such sale or disposition;**

44           (15) "School district", "road district", "water district", "sewer district", "levee district",  
45 "drainage district", "special benefit district", "special assessment district", or "park district" shall  
46 include those located within a county as such county is described in [subdivision (3) of] this  
47 section;

48 [(11)] **(16)** "Sheriff" and "circuit clerk" shall mean the sheriff and circuit clerk,  
49 respectively, of any county affected by sections 141.210 to 141.810 **and sections 141.980 to**  
50 **141.1015**;

51 [(12)] **(17)** "Tax bill" as used in sections 141.210 to 141.810 **and sections 141.980 to**  
52 **141.1015** shall represent real estate taxes and the lien thereof, whether general or special, levied  
53 and assessed by any taxing authority;

54 [(13)] **(18)** "Tax district" shall mean the state of Missouri and any county, municipality,  
55 school district, road district, water district, sewer district, levee district, drainage district, special  
56 benefit district, special assessment district, or park district, located in any municipality or county  
57 as herein described;

58 [(14)] **(19)** "Tax lien" shall mean the lien of any tax bill as defined in [subdivision (12)  
59 of] this section;

60 [(15)] **(20)** "Taxing authority" shall include any governmental, managing, administering  
61 or other lawful authority, now or hereafter empowered by law to issue tax bills, the state of  
62 Missouri or any county, municipality, school district, road district, water district, sewer district,  
63 levee district, drainage district, special benefit district, special assessment district, or park  
64 district, affected by sections 141.210 to 141.810 **and sections 141.980 to 141.1015**.

141.250. 1. The respective liens of the tax bills for general taxes of the state of Missouri,  
2 the county, any municipality and any school district, for the same tax year, shall be equal and  
3 first liens upon the real estate described in the respective tax bills thereof; provided, however,  
4 that the liens of such tax bills for the latest year for which tax bills are unpaid shall take priority  
5 over the liens of tax bills levied and assessed for less recent years, and the lien of such tax bills  
6 shall rate in priority in the order of the years for which they are delinquent, the lien of the tax bill  
7 longest delinquent being junior in priority to the lien of the tax bill for the next most recent tax  
8 year.

9 2. All tax bills for other than general taxes shall constitute liens junior to the liens for  
10 general taxes upon the real estate described therein; provided, however, that a tax bill for other  
11 than general taxes, of the more recent issue shall likewise be senior to any such tax bill of less  
12 recent date.

13 3. The proceeds derived from the sale of any lands encumbered with a tax lien or liens,  
14 or held by the land trustees, **or acquired by a land bank agency pursuant to a deemed sale**  
15 **under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of**  
16 **section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section**  
17 **141.550** shall be distributed to the owners of such liens in the order of the seniority of the liens,  
18 or their respective interests as shown by the records of the land trust **or the land bank agency**.  
19 Those holding liens of equal rank shall share in direct proportion to the amounts of their  
20 respective liens.

141.290. 1. The collector shall compile lists of all state, county, school, and other tax bills collectible by him which are delinquent according to his records and he shall combine such lists with the list filed by any taxing authority or tax bill owner.

2. The collector shall assign a serial number to each parcel of real estate in each list and if suit has been filed in the circuit court of the county on any delinquent tax bill included in any list, the collector shall give the court docket number of such suit and some appropriate designation of the place where such suit is pending, and such pending suit so listed in any petition filed pursuant to the provisions of sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall, without further procedure or court order, be deemed to be consolidated with the suit brought under sections 141.210 to 141.810 **and sections 141.980 to 141.1015**, and such pending suit shall thereupon be abated.

3. The collector shall deliver such combined lists to the delinquent land tax attorney from time to time but not later than April the first of each year.

4. The delinquent land tax attorney shall incorporate such lists in petitions in the form prescribed in section 141.410, and shall file such petitions with the circuit clerk not later than June first of each year.

141.300. 1. The collector shall receipt for the aggregate amount of such delinquent tax bills appearing on the list or lists filed with him under the provisions of section 141.290, which receipt shall be held by the owner or holder of the tax bills or by the treasurer or other corresponding financial officer of the taxing authority so filing such list with the collector.

2. The collector shall, on or before the fifth day of each month, file with the owner or holder of any tax bill or with the treasurer or other corresponding financial officer of any taxing authority, a detailed statement, verified by affidavit, of all taxes collected by him during the preceding month which appear on the list or lists received by him, and shall, on or before the fifteenth day of the month, pay the same, less his commissions and costs payable to the county, to the tax bill owner or holder or to the treasurer or other corresponding financial officer of any taxing authority; provided, however, that the collector shall be given credit for the full amount of any tax bill which is bid in by the land trustees and where title to the real estate described in such tax bill is taken by the land trust, **or which is bid in by a land bank agency and where title to the real estate described in such tax bill is taken by such land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, or which is included in the bid of a land bank agency and where title to the real estate described in such tax bill is taken by such land bank agency pursuant to a sale under subdivision (2) of subsection 2 of section 141.550.**

141.320. 1. The collector shall at his option appoint a delinquent land tax attorney at a compensation of ten thousand dollars per year, or in counties having a county counselor, the

3 collector shall at his option designate the county counselor and such of his assistants as shall  
4 appear necessary to act as the delinquent land tax attorney.

5         2. A delinquent land tax attorney who is not the county counselor, with the approval of  
6 the collector, may appoint one or more assistant delinquent land tax attorneys at salaries of not  
7 less than two hundred dollars and not more than four hundred dollars per month, and such  
8 clerical employees as may be necessary, at salaries to be fixed by the collector at not less than  
9 three hundred dollars and not more than four hundred dollars per month; and the appointed  
10 delinquent tax attorney may incur such reasonable expenses as are necessary for the performance  
11 of his duties.

12         3. The delinquent land tax attorney and his assistants shall perform legal services for the  
13 collector and shall act as attorney for him in the prosecution of all suits brought for the collection  
14 of land taxes; but they shall not perform legal services for the land trust **or any land bank**  
15 **agency**.

16         4. Salaries and expenses of a delinquent land tax attorney who is not also the county  
17 counselor, his assistants and his employees shall be paid monthly out of the treasury of the  
18 county from the same funds as employees of the collector whenever the funds provided for by  
19 sections 141.150, 141.270, and 141.620 are not sufficient for such purpose.

20         5. The compensation herein provided shall be the total compensation for a delinquent  
21 land tax attorney who is not also a county counselor, his assistants and employees, and when the  
22 compensation received by him or owing to him by the collector exceeds ten thousand dollars in  
23 any one calendar year by virtue of the sums charged and collected pursuant to the provisions of  
24 section 141.150, the surplus shall be credited and applied by the collector to the expense of the  
25 delinquent land tax attorney and to the compensation of his assistants and employees, and any  
26 sum then remaining shall be paid into the county treasury on or before the first day of March of  
27 each year and credited to the general revenue fund of the county.

28         6. A delinquent land tax attorney who is not also the county counselor shall make a  
29 return quarterly to the county commission of such county of all compensation received by him,  
30 and of all amounts owing to him by the collector, and of all salaries and expenses of any  
31 assistants and employees, stating the same in detail, and verifying such amounts by his affidavit.

141.410. 1. A suit for the foreclosure of the tax liens herein provided for shall be  
2 instituted by filing in the appropriate office of the circuit clerk a petition, which petition shall  
3 contain a caption, a copy of the list so furnished to the delinquent land tax attorney by the  
4 collector, and a prayer. Such petition without further allegation shall be deemed to be sufficient.

5         2. The caption shall be in the following form:

6             In the Circuit Court of . . . . . County, Missouri,  
7             In the Matter of Foreclosure of Liens for Delinquent Land Taxes  
8             By Action in Rem.

9 Collector of Revenue of . . . County, Missouri, Plaintiff

10 -vs.-

11 Parcels of Land Encumbered with Delinquent Tax Liens

12 Defendants.

13 3. The petition shall conclude with a prayer that all tax liens upon such real estate be  
14 foreclosed; that the court determine the amounts and priorities of all tax bills, together with  
15 interest, penalties, costs, and attorney's fees; that the court order such real estate to be sold by the  
16 sheriff at public sale as provided by sections 141.210 to 141.810 **and sections 141.980 to**  
17 **141.1015** and that thereafter a report of such sale be made by the sheriff to the court for further  
18 proceedings under sections 141.210 to 141.810 **and sections 141.980 to 141.1015.**

19 4. The delinquent land tax attorney within ten days after the filing of any such petition,  
20 shall forward by United States registered mail to each person or taxing authority having filed a  
21 list of delinquent tax bills with the collector as provided by sections 141.210 to 141.810 **and**  
22 **sections 141.980 to 141.1015** a notice of the time and place of the filing of such petition and of  
23 the newspaper in which the notice of publication has been or will be published.

24 5. The petition when so filed shall have the same force and effect with respect to each  
25 parcel of real estate therein described, as a separate suit instituted to foreclose the tax lien or liens  
26 against any one of said parcels of real estate.

141.480. 1. Upon the trial of the cause upon the question of foreclosure, the tax bill,  
2 whether general or special, issued by any taxing authority shall be prima facie proof that the tax  
3 described in the tax bill has been validly assessed at the time indicated by the tax bill and that  
4 the tax is unpaid. Absent any answer the court shall take the allegations of the petition as  
5 confessed. Any person alleging any jurisdictional defect or invalidity in the tax bill or in the sale  
6 thereof must particularly specify in his answer the defect or basis of invalidity, and must, upon  
7 trial, affirmatively establish such defense.

8 2. Prior to formal hearing, the court may conduct an informal hearing for the purpose of  
9 clarifying issues, and shall attempt to reach an agreement with the parties upon a stipulated  
10 statement of facts. The court shall hear the evidence offered by the collector or relator as the  
11 case may be, and by all answering parties, and shall determine the amount of each and every tax  
12 bill proved by the collector or any answering party, together with the amount of interest,  
13 penalties, attorney's fees and costs accruing upon each tax bill and the date from which interest  
14 began to accrue upon each tax bill and the rate thereof. The court shall hear evidence and  
15 determine every issue of law and of fact necessary to a complete adjudication of all tax liens  
16 asserted by any and every pleading, and may also hear evidence and determine any other issue  
17 of law or fact affecting any other right, title, or interest in or to, or lien upon, such real estate,  
18 sought to be enforced by any party to the proceeding against any other party to the proceeding  
19 who has been served by process or publication as authorized by law, or who has voluntarily

20 appeared, and shall determine the order and priority of the liens and of any other rights or interest  
21 put in issue by the pleadings.

22           3. After the court has first determined the validity of the tax liens of all tax bills affecting  
23 parcels of real estate described in the petition, the priorities of the respective tax bills and the  
24 amounts due thereon, including principal, interest, penalties, attorney's fees, and costs, the court  
25 shall thereupon enter judgment of foreclosure of such liens and fix the time and place of the  
26 foreclosure sale. The petition shall be dismissed as to any parcel of real estate redeemed prior  
27 to the time fixed for the sheriff's foreclosure sale as provided in sections 141.210 to 141.810 **and**  
28 **sections 141.980 to 141.1015**. If the parcel of real estate auctioned off at sheriff's foreclosure  
29 sale is sold for a sum sufficient to fully pay the principal amount of all tax bills included in the  
30 judgment, together with interest, penalties, attorney's fees and costs, and for no more, and such  
31 sale is confirmed by the court, then all other proceedings as to such parcels of real estate shall  
32 be finally dismissed as to all parties and interests other than tax bill owners or holders; provided,  
33 however, that any parties seeking relief other than an interest in or lien upon the real estate may  
34 continue with said suit to a final adjudication of such other issues; provided, further, an appeal  
35 may be had as to any claim attacking the validity of the tax bill or bills or the priorities as to  
36 payment of proceeds of foreclosure sale. If the parcel of real estate auctioned off at sheriff's  
37 foreclosure sale is sold for a sum greater than the total amount necessary to pay the principal  
38 amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees  
39 and costs, and such sale is confirmed by the court, and no appeal is taken by any person claiming  
40 any right, title or interest in or to or lien upon said parcel of real estate or by any person or taxing  
41 authority owning or holding or claiming any right, title or interest in or to any tax bills within the  
42 time fixed by law for the filing of notice of appeal, the court shall thereupon order the sheriff to  
43 make distribution to the owners or holders of the respective tax bills included in the judgment  
44 of the amounts found to be due and in the order of priorities. Thereafter all proceedings in the  
45 suit shall be ordered by the court to be dismissed as to such persons or taxing authorities owning,  
46 holding or claiming any right, title, or interest in any such tax bill or bills so paid, and the case  
47 shall proceed as to any parties claiming any right, title, or interest in or lien upon the parcel of  
48 real estate affected by such tax bill or bills as to their respective claims to such surplus funds then  
49 remaining in the hands of the sheriff.

50           4. Whenever an answer is filed to the petition, as herein provided, a severance of the  
51 action as to all parcels of real estate affected by such answer shall be granted, and the issues  
52 raised by the petition and such answer shall be tried separate and apart from the other issues in  
53 the suit, but the granting of such severance shall not delay the trial or other disposition of any  
54 other issue in the case. A separate appeal may be taken from any action of the court affecting  
55 any right, title, or interest in or to, or lien upon, such real estate, other than issues of law and fact  
56 affecting the amount or validity of the lien of tax bills, but the proceeding to foreclose the lien

57 of any tax bills shall not be stayed by such appeal. The trial shall be conducted by the court  
58 without the aid of a jury and the suit shall be in equity. This action shall take precedence over  
59 and shall be triable before any other action in equity affecting the title to such real estate, upon  
60 motion of any interested party.

141.530. 1. Except as otherwise provided in section 141.520, during such waiting period  
2 and at any time prior to the time of foreclosure sale by the sheriff, any interested party may  
3 redeem any parcel of real estate as provided by this chapter. During such waiting period and at  
4 any time prior to the time of foreclosure sale by the sheriff, the collector may, at the option of  
5 the party entitled to redeem, enter into a written redemption contract with any such party  
6 interested in any parcel of real estate, providing for payment in installments, monthly or  
7 bimonthly, of the delinquent tax bills, including interest, penalties, attorney's fees and costs  
8 charged against such parcel of real estate, provided, however, that in no instance shall such  
9 installments exceed twelve in number or extend more than twenty-four months next after any  
10 agreement for such installment payments shall have been entered into; provided further, that  
11 upon good cause being shown by the owner of any parcel of real estate occupied as a homestead,  
12 or in the case of improved real estate with an assessed valuation of not more than three thousand  
13 five hundred dollars, owned by an individual, the income from such property being a major  
14 factor in the total income of such individual, or by anyone on his behalf, the court may, in its  
15 discretion, fix the time and terms of payment in such contract to permit all of such installments  
16 to be paid within not longer than forty-eight months after any order or agreement as to  
17 installment payments shall have been made.

18 2. So long as such installments be paid according to the terms of the contract, the said  
19 six months waiting period shall be extended, but if any installment be not paid when due, the  
20 extension of said waiting period shall be ended without notice, and the real estate shall forthwith  
21 be advertised for sale or included in the next notice of sheriff's foreclosure sale.

22 [3. No redemption contracts may be used under this section for residential property  
23 which has been vacant for at least six months in any municipality contained wholly or partially  
24 within a county with a population of over six hundred thousand and less than nine hundred  
25 thousand.]

[141.530. 1. Except as otherwise provided in section 141.520, during  
2 such waiting period and at any time prior to the time of foreclosure sale by the  
3 sheriff, any interested party may redeem any parcel of real estate as provided by  
4 this chapter. During such waiting period and at any time prior to the time of  
5 foreclosure sale by the sheriff, the collector may, at the option of the party  
6 entitled to redeem, enter into a written redemption contract with any such party  
7 interested in any parcel of real estate, other than a residential property which has  
8 been vacant for at least six months, providing for payment in installments,  
9 monthly or bimonthly, of the delinquent tax bills, including interest, penalties,  
10 attorney's fees and costs charged against such parcel of real estate, provided,

11           however, that in no instance shall such installments exceed twelve in number or  
 12           extend more than twenty-four months next after any agreement for such  
 13           installment payments have been entered into; provided further, that upon good  
 14           cause being shown by the owner of any parcel of real estate occupied as a  
 15           homestead, or in the case of improved real estate with an assessed valuation of  
 16           not more than three thousand five hundred dollars, owned by an individual, the  
 17           income from such property being a major factor in the total income of such  
 18           individual, or by anyone on the individual's behalf, the court may, in its  
 19           discretion, fix the time and terms of payment in such contract to permit all of  
 20           such installments to be paid within not longer than forty-eight months after any  
 21           order or agreement as to installment payments being made.

22                       2. So long as such installments are paid according to the terms of the  
 23           contract, the six-month waiting period shall be extended, but if any installment  
 24           is not paid when due, the extension of such waiting period shall be ended without  
 25           notice, and the real estate shall forthwith be advertised for sale or included in the  
 26           next notice of sheriff's foreclosure sale.]

141.540. 1. In any county at a certain front door of whose courthouse sales of real estate  
 2   are customarily made by the sheriff under execution, the sheriff shall advertise for sale and sell  
 3   the respective parcels of real estate ordered sold by him or her pursuant to any judgment of  
 4   foreclosure by any court pursuant to sections 141.210 to 141.810 at any of such courthouses, but  
 5   the sale of such parcels of real estate shall be held at the same front door as sales of real estate  
 6   are customarily made by the sheriff under execution.

7           2. Such advertisements may include more than one parcel of real estate, and shall be in  
 8   substantially the following form:

9   NOTICE OF SHERIFF'S SALE UNDER JUDGMENT OF FORECLOSURE OF LIENS FOR  
 10   DELINQUENT LAND TAXES

11   No. . . . .

12   In the Circuit Court of . . . . .County, Missouri.

13   In the Matter of Foreclosure of Liens for Delinquent

14   Land Taxes Collector of Revenue of . . . . . County, Missouri,

15   Plaintiff,

16   vs.

17   Parcels of Land encumbered with Delinquent Tax Liens,

18   Defendants.

19           WHEREAS, judgment has been rendered against parcels of real estate for taxes, interest,  
 20   penalties, attorney's fees and costs with the serial numbers of each parcel of real estate, the  
 21   description thereof, the name of the person appearing in the petition in the suit, and the total  
 22   amount of the judgment against each such parcel for taxes, interest, penalties, attorney's fees and  
 23   costs, all as set out in said judgment and described in each case, respectively, as follows: (Here

24 set out the respective serial numbers, descriptions, names and total amounts of each judgment,  
25 next above referred to.) and,

26 WHEREAS, such judgment orders such real estate sold by the undersigned sheriff, to  
27 satisfy the total amount of such judgment, including interest, penalties, attorney's fees and costs,

28 NOW, THEREFORE,

29 Public Notice is hereby given that I . . . . ., Sheriff of . . . . . County,  
30 Missouri, will sell such real estate, parcel by parcel, at public auction, to the highest bidder, for  
31 cash, between the hours of nine o'clock A.M. and five o'clock P.M., at the . . . . . front door of  
32 the . . . . . County Courthouse in . . . . ., Missouri, on . . . . ., the . . . . . day of . . . . ., 20..,  
33 and continuing from day to day thereafter, to satisfy the judgment as to each respective parcel  
34 of real estate sold. If no acceptable bids are received as to any parcel of real estate, said parcel  
35 shall be sold to the Land Trust of . . . . . (insert name of County), Missouri **or Land Bank of**  
36 **the City of . . . . . (insert name of municipality), Missouri.**

37 Any bid received shall be subject to confirmation by the court.

38 . . . . . Sheriff of . . . . . County, Missouri.

39 . . . . . Delinquent Land Tax Attorney Address: . . . . .

40 . . . . First Publication . . . . ., 20. . .

41 3. Such advertisement shall be published four times, once a week, upon the same day of  
42 each week during successive weeks prior to the date of such sale, in a daily newspaper of general  
43 circulation regularly published in the county, qualified according to law for the publication of  
44 public notices and advertisements.

45 4. In addition to the provisions herein for notice and advertisement of sale, the county  
46 collector shall enter upon the property subject to foreclosure of these tax liens and post a written  
47 informational notice in any conspicuous location thereon. This notice shall describe the property  
48 and advise that it is the subject of delinquent land tax collection proceedings before the circuit  
49 court brought pursuant to sections 141.210 to 141.810 and that it may be sold for the payment  
50 of delinquent taxes at a sale to be held at ten o'clock a.m., date and place, and shall also contain  
51 a file number and the address and phone number of the collector. If the collector chooses to post  
52 such notices as authorized by this subsection, such posting must be made not later than the  
53 fourteenth day prior to the date of the sale.

54 5. The collector shall, concurrently with the beginning of the publication of sale, cause  
55 to be prepared and sent by restricted, registered or certified mail with postage prepaid, a brief  
56 notice of the date, location, and time of sale of property in foreclosure of tax liens pursuant to  
57 sections 141.210 to 141.810, to the persons named in the petition as being the last known persons  
58 in whose names tax bills affecting the respective parcels of real estate described in said petition  
59 were last billed or charged on the books of the collector, or the last known owner of record, if  
60 different, and to the addresses of said persons upon said records of the collector. The terms

61 "restricted", "registered" or "certified mail" as used in this section mean mail which carries on  
62 the face thereof in a conspicuous place, where it will not be obliterated, the endorsement,  
63 "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement  
64 by the postal authorities that the addressee refused to receive and receipt for such mail. If the  
65 notice is returned to the collector by the postal authorities as undeliverable for reasons other than  
66 the refusal by the addressee to receive and receipt for the notice as shown by the return receipt,  
67 then the collector shall make a search of the records maintained by the county, including those  
68 kept by the recorder of deeds, to discern the name and address of any person who, from such  
69 records, appears as a successor to the person to whom the original notice was addressed, and to  
70 cause another notice to be mailed to such person. The collector shall prepare and file with the  
71 circuit clerk prior to confirmation hearings an affidavit reciting to the court any name, address  
72 and serial number of the tract of real estate affected of any such notices of sale that are  
73 undeliverable because of an addressee's refusal to receive and receipt for the same, or of any  
74 notice otherwise nondeliverable by mail, or in the event that any name or address does not appear  
75 on the records of the collector, then of that fact. The affidavit in addition to the recitals set forth  
76 above shall also state reason for the nondelivery of such notice.

77 6. The collector may, at his or her option, concurrently with the beginning of the  
78 publication of sale, cause to be prepared and sent by restricted, registered or certified mail with  
79 postage prepaid, a brief notice of the date, location, and time of sale of property in foreclosure  
80 of tax liens pursuant to sections 141.210 to 141.810, to the mortgagee or security holder, if  
81 known, of the respective parcels of real estate described in said petition, and to the addressee of  
82 such mortgagee or security holder according to the records of the collector. The terms  
83 "restricted", "registered" or "certified mail" as used in this section mean mail which carries on  
84 the face thereof in a conspicuous place, where it will not be obliterated, the endorsement,  
85 "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement  
86 by the postal authorities that the addressee refused to receive and receipt for such mail. If the  
87 notice is returned to the collector by the postal authorities as undeliverable for reasons other than  
88 the refusal by the addressee to receive and receipt for the notice as shown by the return receipt,  
89 then the collector shall make a search of the records maintained by the county, including those  
90 kept by the recorder of deeds, to discern the name and address of any security holder who, from  
91 such records, appears as a successor to the security holder to whom the original notice was  
92 addressed, and to cause another notice to be mailed to such security holder. The collector shall  
93 prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the  
94 court any name, address and serial number of the tract of real estate affected by any such notices  
95 of sale that are undeliverable because of an addressee's refusal to receive and receipt for the  
96 same, or of any notice otherwise nondeliverable by mail, and stating the reason for the  
97 nondelivery of such notice.

141.550. 1. The sale shall be conducted, the sheriff's return thereof made, and the sheriff's deed pursuant to the sale executed, all as provided in the case of sales of real estate taken under execution except as otherwise provided in sections 141.210 to 141.810, and provided that such sale need not occur during the term of court or while the court is in session.

2. The following provisions shall apply to any sale pursuant to this section of property located within any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand:

(1) The sale shall be held on the day for which it is advertised, between the hours of nine o'clock a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the judgment as to each respective parcel of real estate sold;

(2) The sale shall be conducted publicly, by auction, for ready money. The highest bidder shall be the purchaser unless the highest bid is less than the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. No person shall be eligible to bid at the time of the sale unless such person has, no later than ten days before the sale date, demonstrated to the satisfaction of the official charged by law with conducting the sale that he or she is not the owner of any parcel of real estate in the county which is affected by a tax bill which has been delinquent for more than six months and is not the owner of any parcel of real property with two or more violations of the municipality's building or housing codes. A prospective bidder may make such a demonstration by presenting statements from the appropriate collection and code enforcement officials of the municipality. **Notwithstanding this provision, any taxing authority or land bank agency shall be eligible to bid at any sale conducted under this section without making such a demonstration.**

3. Such sale shall convey the whole interest of every person having or claiming any right, title or interest in or lien upon such real estate, whether such person has answered or not, subject to rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject to the lien thereon, if any, of the United States of America.

4. The collector shall advance the sums necessary to pay for the publication of all advertisements required by sections 141.210 to 141.810 and shall be allowed credit therefor in his or her accounts with the county. The collector shall give credit in such accounts for all such advances recovered by him or her. Such expenses of publication shall be apportioned pro rata among and taxed as costs against the respective parcels of real estate described in the judgment; provided, however, that none of the costs herein enumerated, including the costs of publication, shall constitute any lien upon the real estate after such sale.

141.560. 1. If, when the sheriff offers the respective parcels of real estate for sale, there be no bidders for any parcel, or there be insufficient time or opportunity to sell all of the parcels of real estate so advertised, the sheriff shall adjourn such sale from day to day at the same place

4 and commencing at the same hour as when first offered and shall announce that such real estate  
5 will be offered or reoffered for sale at such time and place.

6           **2. With respect to any parcel of real estate not located wholly within a municipality**  
7 **that is an appointing authority under section 141.981**, in the event no bid equal to the full  
8 amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then  
9 due thereon shall be received at such sale after any parcel of real estate has been offered for sale  
10 on three different days, which need not be successive, the land trustees shall be deemed to have  
11 bid the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees  
12 and costs then due, and if no other bid be then received by the sheriff in excess of the bid of the  
13 trustees, and the sheriff shall so announce at the sale, then the bid of the trustees shall be  
14 announced as accepted. The sheriff shall report any such bid or bids so made by the land trustees  
15 in the same way as his report of other bids is made. **The land trust shall pay any penalties,**  
16 **attorney's fees or costs included in the judgment of foreclosure of such parcel of real estate,**  
17 **when such parcel is sold or otherwise disposed of by the land trust. Upon confirmation by**  
18 **the court of such bid at such sale by such land trustees, the collector shall mark the tax bills**  
19 **so bid by the land trustees as "canceled by sale to the land trust" and shall take credit for**  
20 **the full amount of such tax bills, including principal amount, interest, penalties, attorney's**  
21 **fees, and costs, on his books and in his statements with any other taxing authorities.**

22           **3. [The land trustees shall pay any penalties, attorney's fees or costs included in the**  
23 **judgment of foreclosure of such parcel of real estate, when such parcel is sold or otherwise**  
24 **disposed of by the land trustees, as herein provided. Upon confirmation by the court of such bid**  
25 **at such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees**  
26 **as "canceled by sale to the land trust" and shall take credit for the full amount of such tax bills,**  
27 **including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his**  
28 **statements with any other taxing authorities.] With respect to any parcel of real estate located**  
29 **wholly within a municipality that is an appointing authority under section 141.981, in the**  
30 **event no bid equal to the full amount of all tax bills included in the judgment, interest,**  
31 **penalties, attorney's fees and costs then due thereon shall be received at such sale after**  
32 **such parcel of real estate has been offered for sale on three different days, which need not**  
33 **be successive, the land bank agency for which said municipality is an appointing authority**  
34 **shall be deemed to have bid the full amount of all tax bills included in the judgment,**  
35 **interest, penalties, attorney's fees and costs then due, and the sheriff shall so announce at**  
36 **the sale, then the bid of the land bank agency shall be announced as accepted. The sheriff**  
37 **shall report any such bid or bids so made by such land bank agency in the same way as his**  
38 **report of other bids is made. Upon confirmation by the court of such bid at such sale by**  
39 **such land bank agency, the collector shall mark the tax bills so bid by such land bank**  
40 **agency as "canceled by sale to the land bank" and shall take credit for the full amount of**

41 **such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on**  
42 **his books and in his statements with any other taxing authorities.**

141.570. 1. The title to any real estate which shall vest in the land trust under the  
2 provisions of sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall be held by  
3 the land trust of such county in trust for the tax bill owners and taxing authorities having an  
4 interest in any tax liens which were foreclosed, as their interests may appear in the judgment of  
5 foreclosure. **The title to any real estate acquired by a land bank agency pursuant to a**  
6 **deemed sale under subsection 3 of section 141.560, by deed from a land trust under**  
7 **subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection**  
8 **2 of section 141.550 shall be held in trust for the tax bill owners and taxing authorities**  
9 **having an interest in any tax liens which were foreclosed, as their interests may appear in**  
10 **the judgment of foreclosure.**

11 2. The title to any real estate which shall vest in any purchaser, upon confirmation of  
12 such sale by the court, shall be an absolute estate in fee simple, subject to rights-of-way thereon  
13 of public utilities on which tax has been otherwise paid, and subject to any lien thereon of the  
14 United States of America, if any, and all persons, including the state of Missouri, infants,  
15 incapacitated and disabled persons as defined in chapter 475, and nonresidents who may have  
16 had any right, title, interest, claim, or equity of redemption in or to, or lien upon, such lands, shall  
17 be barred and forever foreclosed of all such right, title, interest, claim, lien or equity of  
18 redemption, and the court shall order immediate possession of such real estate be given to such  
19 purchaser; provided, however, that such title shall also be subject to the liens of any tax bills  
20 which may have attached to such parcel of real estate prior to the time of the filing of the petition  
21 affecting such parcel of real estate not then delinquent, or which may have attached after the  
22 filing of the petition and prior to sheriff's sale and not included in any answer to such petition,  
23 but if such parcel of real estate is **deemed** sold to the land trust **pursuant to subsection 2 of**  
24 **section 141.560, or deemed sold to a land bank agency pursuant to subsection 3 of section**  
25 **141.560, or sold to a land bank agency pursuant to subdivision (2) of subsection 2 of section**  
26 **141.550**, the title thereto shall be free of any such liens to the extent of the interest of any taxing  
27 authority in such real estate; provided further, that such title shall not be subject to the lien of  
28 special tax bills which have attached to the parcel of real estate prior to November 22, 1943, but  
29 the lien of such special tax bills shall attach to the proceeds of the sheriff's sale or to the proceeds  
30 of the ultimate sale of such parcel by the land trust **or land bank agency.**

141.580. 1. After the sheriff sells any parcel of real estate, the court shall, upon its own  
2 motion or upon motion of any interested party, set the cause down for hearing to confirm the  
3 foreclosure sale thereof, even though such parcels are not all of the parcels of real estate  
4 described in the notice of sheriff's foreclosure sale. At the time of such hearing, the sheriff shall  
5 make report of the sale, and the court shall hear evidence of the value of the property offered on

6 behalf of any interested party to the suit, and shall forthwith determine whether an adequate  
7 consideration has been paid for each such parcel.

8         2. For this purpose the court shall have power to summon any city or county official or  
9 any private person to testify as to the reasonable value of the property, and if the court finds that  
10 adequate consideration has been paid, [he] **the court** shall confirm the sale and order the sheriff  
11 to issue a deed to the purchaser. If the court finds that the consideration paid is inadequate, **the**  
12 **court shall confirm the sale if** the purchaser [may increase] **increases** his bid to such amount  
13 as the court [may deem] **deems** to be adequate[, whereupon the court may confirm the sale. If,  
14 however,] **and makes such additional payment, or if all tax bills included in the judgment,**  
15 **interest, penalties, attorney's fees and costs then due thereon are not paid in full by one or**  
16 **more interested parties to the suit. If the court finds that the consideration is inadequate,**  
17 **but** the purchaser declines to increase his bid **to such amount as the court deems adequate** and  
18 make such additional payment, then the sale shall be disapproved **if all tax bills included in the**  
19 **judgment, interest, penalties, attorney's fees and costs then due thereon are paid in full by**  
20 **one or more interested parties to the suit**, the lien of the judgment continued, and such parcel  
21 of real estate shall be again advertised and offered for sale by the sheriff to the highest bidder at  
22 public auction for cash at any subsequent sheriff's foreclosure sale. Unless the court requires  
23 evidence of the value of the property conveyed to land trust **or a land bank agency**, none shall  
24 be required, and the amount bid by the land trustees **or such land bank agency** shall be deemed  
25 adequate consideration.

26         3. **Except as otherwise provided in subsection 6 of section 141.984**, if the sale is  
27 confirmed, the court shall order the proceeds of the sale applied in the following order:

28         (1) To the payment of the costs of the publication of the notice of foreclosure and of the  
29 sheriff's foreclosure sale;

30         (2) To the payment of all costs including appraiser's fee [not to exceed fifteen dollars]  
31 and attorney's fees;

32         (3) To the payment of all tax bills adjudged to be due in the order of their priority,  
33 including principal, interest and penalties thereon.

34

35 If, after such payment, there is any sum remaining of the proceeds of the sheriff's foreclosure  
36 sale, the court shall thereupon try and determine the other issues in the suit in accordance with  
37 section 141.480. If any answering parties have specially appealed as provided in section  
38 141.570, the court shall retain the custody of such funds pending disposition of such appeal, and  
39 upon disposition of such appeal shall make such distribution. If there are not sufficient proceeds  
40 of the sale to pay all claims in any class described, the court shall order the same to be paid pro  
41 rata in accordance with the priorities.

42           4. If there are any funds remaining of the proceeds after the sheriff's sale and after the  
43 distribution of such funds as herein set out and no person entitled to any such funds, whether or  
44 not a party to the suit, shall, within two years after such sale, appear and claim the funds, they  
45 shall [escheat to the state as provided by law] **be distributed to the appropriate taxing**  
46 **authorities.**

141.720. 1. The land trust shall be composed of three members, one of whom shall be  
2 appointed by the county, **as directed by the county** executive, or if the county does not have a  
3 county executive, **as directed by** the county commission of the county, one of whom shall be  
4 appointed by [the city council of that city] **the municipality** in the county which **is not an**  
5 **appointing authority under section 141.981 and** then has the largest population according to  
6 the last preceding federal decennial census, and one of whom shall be appointed by [the board  
7 of directors of] the school district **in the county** which **is not an appointing authority under**  
8 **section 141.981 and** then has the largest population according to such census in the county. **If**  
9 **any appointing authority under this section fails to make any appointment of a land trustee**  
10 **after any term expires, then the appointment shall be made by the county.**

11           2. The terms of office of the land trustees shall be for four years each, except the terms  
12 of the first land trustees who shall be appointed by the foregoing appointing authorities,  
13 respectively, not sooner than twelve months and not later than eighteen months after sections  
14 141.210 to 141.810 take effect; **provided, however, that the term of any land trustee**  
15 **appointed by a municipality or school district that becomes an appointing authority of a**  
16 **land bank agency under section 141.981 shall terminate and such municipality and such**  
17 **school district shall cease to be appointing authorities for such land trust under this section**  
18 **upon the completion of all transfers to the land bank agency from the land trust required**  
19 **under subsection 1 of section 141.984 or one year after the effective date of the ordinance**  
20 **or resolution establishing the land bank agency, whichever is the first to occur.**

21           3. Each land trustee shall have been a resident of the county for at least five years next  
22 prior to appointment, shall not hold other salaried or compensated public office by election or  
23 appointment during service as land trustee, the duties of which would in any way conflict with  
24 his duties as land trustee, and shall have had at least ten years experience in the management or  
25 sale of real estate.

26           4. Of the first land trustees appointed under sections 141.210 to 141.810, the land trustee  
27 appointed by the county commission shall serve for a term ending February 1, 1946, the land  
28 trustee appointed by the board of directors of the school district then having the largest  
29 population in the county shall serve for a term expiring February 1, 1947, and the land trustee  
30 appointed by the city council of the city then having the largest population in the county shall  
31 serve for a term expiring February 1, 1948. Each land trustee shall serve until his successor has  
32 been appointed and qualified.

33           5. Any vacancy in the office of land trustee shall be filled for the unexpired term by the  
34 same appointing authority which made the original appointment. If any appointing authority fails  
35 to make any appointment of a land trustee within the time the first appointments are required by  
36 sections 141.210 to 141.810 to be made, or within thirty days after any term expires or vacancy  
37 occurs, then the appointment shall be made by the [mayor of that city in the] county [then having  
38 the largest population, according to the last preceding federal decennial census].

39           6. The members shall receive for their services as land trustees a salary of two thousand  
40 four hundred dollars per year.

41           7. Each land trustee may be removed for cause by the respective appointing authority,  
42 after public hearing, if requested by the land trustee, and an opportunity to be represented by  
43 counsel and to present evidence is afforded the trustee.

141.770. 1. Each annual budget of the land trust shall be itemized as to objects and  
2 purposes of expenditure, prepared not later than [December tenth] **October first** of each year  
3 with copies delivered to the [county and city that appointed trustee members] **appointing**  
4 **authorities of such land trust under section 141.720**, and shall include therein only such  
5 appropriations as shall be deemed necessary to meet the reasonable expenses of the land trust  
6 during the forthcoming fiscal year. That budget shall not become the required annual budget of  
7 the land trust unless and until it has been approved by the governing bodies of the [county or city  
8 that appointed trustee members] **appointing authorities of such land trust under section**  
9 **141.720**. If [either] **any** of the governing bodies of the [county and city that appointed trustee  
10 members] **appointing authorities of such land trust under section 141.720** fail to notify the  
11 land trust in writing of any objections to the proposed annual budget on or before [December]  
12 **November** twentieth, then such failure or failures to object shall be deemed approval. In the  
13 event objections have been made and a budget for the fiscal year beginning January first has not  
14 been approved by the governing bodies of the [county and city] **appointing authorities of such**  
15 **land trust under section 141.720** on or before January first, then the budget for the previous  
16 fiscal year shall become the approved budget for that fiscal year. Any unexpended funds from  
17 the preceding fiscal year shall be deducted from the amounts needed to meet the budget  
18 requirements of the forthcoming year.

19           2. Copies of the budget shall be made available to the public on or before [December]  
20 **October** tenth, and a public hearing shall be had thereon prior to [December] **October** twentieth,  
21 in each year. The approved and adopted budget may be amended by the trustee members only  
22 with the approval of the governing bodies of the [county and city that appointed trustee  
23 members] **appointing authorities of such land trust under section 141.720**.

24           3. If at any time there are not sufficient funds available to pay the salaries and other  
25 expenses of such land trust and of its employees, incident to the administration of sections  
26 141.210 to 141.810, including any expenditures authorized by section 141.760, funds sufficient

27 to pay such expenses shall be advanced and paid to the land trust upon its requisition therefor,  
28 [fifty] **seven** percent thereof by the county commission of [such] **the county in which such land**  
29 **trust operates**, and the other [fifty] **ninety-three** percent by all of the [municipalities in such  
30 county as defined in section 141.220] **taxing authorities in such county that are not**  
31 **appointing authorities for a land bank agency under section 141.981 and all municipalities**  
32 **and school districts in such county that are appointing authorities for a land bank agency**  
33 **under section 141.981 and are appointing authorities for such land trust under section**  
34 **141.720**, in proportion to [their] **the product of their respective tax levy rates and the assessed**  
35 valuations [at the time of their last completed assessment for state and county purposes] **of the**  
36 **properties then in the land trust inventory located within their respective taxing**  
37 **jurisdictions**. The land trust shall have power to requisition such funds in an amount not to  
38 exceed twenty-five percent of the total annual budget of the land trust from such sources for that  
39 fiscal year of the land trust for which there are not sufficient funds otherwise available to pay the  
40 salaries and other expenses of the land trust, but any amount in excess of twenty-five percent of  
41 the total annual budget in any fiscal year may be requisitioned by and paid to the land trust only  
42 if such additional sums are agreed to and approved by the county [commission and the respective  
43 municipalities in such county so desiring to make such payment] **and such other taxing**  
44 **authorities**. All moneys so requisitioned shall be paid in a lump sum within thirty days after  
45 such requisition or the commencement of the fiscal year of the land trust for which such  
46 requisition is made, whichever is later, **by the county paying seven percent thereof due from**  
47 **the county under this section and advancing the remaining ninety-three percent due from**  
48 **other taxing authorities under this section on behalf of such other taxing authorities, and**  
49 **such amounts so paid** shall be deposited to the credit of the land trust in some bank or trust  
50 company, subject to withdrawal by warrant as herein provided. **Amounts advanced by the**  
51 **county on behalf of any taxing authority under this section shall be reimbursed to the**  
52 **county upon demand by the county or by the county withholding such amounts from**  
53 **distributions of tax moneys to such taxing authority.**

54 4. The fiscal year of the land trust shall commence on January first of each year. Such  
55 land trust shall audit all claims for the expenditure of money, and shall, acting by the chairman  
56 or vice chairman thereof, draw warrants therefor from time to time.

57 5. No warrant for the payment of any claim shall be drawn by such land trust until such  
58 claim shall have been approved by the land commissioner and shall bear the commissioner's  
59 certificate that there is a sufficient unencumbered balance in the proper appropriation and  
60 sufficient unexpended cash available for the payment thereof. For any certification contrary  
61 thereto, such land commissioner shall be liable personally and on the commissioner's official  
62 bond for the amounts so certified, and shall thereupon be promptly removed from office by the  
63 land trustees.

64           6. In addition to the annual audit provided for in section 141.760, the land trust may be  
65 performance audited at any time by the state auditor or by the auditor of any home rule city with  
66 more than four hundred thousand inhabitants and located in more than one county that is a  
67 member of the land trust. The cost of such audit shall be paid by the land trust, and copies shall  
68 be made available to the public within thirty days of the completion of the audit.

**141.785. 1. The land trust shall be authorized to file an action to quiet title  
2 pursuant to section 527.150 as to any real property in which the land trust has an interest.  
3 For purposes of any and all such actions the land trust shall be deemed to be the holder of  
4 sufficient legal and equitable interests, and possessory rights, so as to qualify the land trust  
5 as adequate petitioner in such action.**

**6           2. Prior to the filing of an action to quiet title the land trust shall conduct an  
7 examination of title to determine the identity of any and all persons and entities possessing  
8 a claim or interest in or to the real property. Service of the petition to quiet title shall be  
9 provided to all such interested parties by the following methods:**

10           **(1) Registered or certified mail to such identity and address as reasonably  
11 ascertainable by an inspection of public records;**

12           **(2) In the case of occupied real property by first class mail, addressed to  
13 "Occupant";**

14           **(3) By posting a copy of the notice on the real property;**

15           **(4) By publication in a newspaper of general circulation in the municipality in  
16 which the property is located; and**

17           **(5) Such other methods as the court may order.**

18           **3. As part of the petition to quiet title the land trust shall file an affidavit  
19 identifying all parties potentially having an interest in the real property, and the form of  
20 notice provided.**

21           **4. The court shall schedule a hearing on the petition within ninety days following  
22 filing of the petition, and as to all matters upon which an answer was not filed by an  
23 interested party, the court shall issue its final judgment within one hundred twenty days  
24 of the filing of the petition.**

25           **5. The land trust shall be authorized to join in a single petition to quiet title to one  
26 or more parcels of real property.**

141.790. When any parcel of real estate is sold or otherwise disposed of by the land trust,  
2 the proceeds therefrom shall be applied and distributed in the following order:

3           **(1) To the payment of amounts due from the land trust under subsection 2 of  
4 section 141.560 on the sale or other disposition of such parcel;**

5           **(2) To the payment of the expenses of sale;**

6            [(2)] (3) The balance to be retained by the land trust to pay the salaries and other  
7 expenses of such land trust and of its employees, incident to the administration of sections  
8 141.210 to 141.810, including any expenditures authorized by section 141.760, as provided for  
9 in its annual budget;

10            [(3)] (4) Any funds in excess of those necessary to meet the expenses of the annual  
11 budget of the land trust in any fiscal year, and including a reasonable sum to carry over into the  
12 next fiscal year to assure that sufficient funds will be available to meet initial expenses for that  
13 next fiscal year, [may] **shall** be paid to the respective taxing authorities which, at the time of the  
14 distribution, are taxing the real property from which the proceeds are being distributed. The  
15 distributions shall be in proportion to the amounts of the taxes levied on the properties by the  
16 taxing authorities; distribution shall be made on January first and July first of each year, and at  
17 such other times as the land trustees in their discretion may determine.

**141.980. 1. Any municipality located wholly or partially within a county in which  
2 a land trust created under section 141.700 was operating on January 1, 2012, may establish  
3 a land bank agency for the management, sale, transfer, and other disposition of interests  
4 in real estate owned by such land bank agency. Any such land bank agency created shall  
5 be created to foster the public purpose of returning land, including land that is in a  
6 nonrevenue-generating, nontax-producing status, to effective use in order to provide  
7 housing, new industry, and jobs for citizens of the establishing municipality, and to create  
8 new revenues for such municipality. Such land bank agency shall be established by  
9 ordinance or resolution as applicable. Such land bank agency shall not own any interest  
10 in real estate that is located wholly or partially outside such establishing municipality.**

**11            2. The beneficiaries of the land bank agency shall be the taxing authorities that held  
12 or owned tax bills against the respective parcels of real estate acquired by such land bank  
13 agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a  
14 land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision  
15 (2) of subsection 2 of section 141.550 included in the judgment of the court, and their  
16 respective interests in each parcel of real estate shall be to the extent and in the proportion  
17 and according to the priorities determined by the court on the basis that the principal  
18 amount of their respective tax bills bore to the total principal amount of all of the tax bills  
19 described in the judgment.**

**20            3. Each land bank agency created pursuant to this chapter shall be a public body  
21 corporate and politic, and shall have permanent and perpetual duration until terminated  
22 and dissolved in accordance with the provisions of section 141.1012.**

**141.981. 1. A land bank agency shall be composed of a board of commissioners  
2 which shall consist of five members, one of whom shall be appointed by the county, as  
3 directed by the county executive, or if the county does not have a county executive, as**

4 directed by the county commission of the county, one of whom shall be appointed by the  
5 school district that is wholly or partially located within such municipality and county and  
6 then has the largest population according to the last preceding federal decennial census,  
7 and the remainder shall be appointed by the municipality that established the land bank  
8 agency. The term of office of the members shall be for four years each. Members shall  
9 serve at the pleasure of the member's appointing authority, may be employees of the  
10 appointing authority, and shall serve without compensation. Any vacancy in the office of  
11 land bank commissioner shall be filled by the same appointing authority that made the  
12 original appointment. Members of the first board of a land bank agency shall be  
13 appointed within sixty days after the effective date of the ordinance or resolution passed  
14 establishing such land bank agency. If any appointing authority fails to make any  
15 appointment of a land bank commissioner within the time the first appointments are  
16 required, or within sixty days after any term expires, then the appointment shall be made  
17 by the municipality that established the land bank agency. Except as otherwise provided  
18 in subsection 2 of section 141.720, any municipality or school district that is an appointing  
19 authority under this section shall not be an appointing authority under section 141.720.

20       2. Notwithstanding any law to the contrary, any public officer shall be eligible to  
21 serve as a board member and the acceptance of the appointment shall neither terminate  
22 nor impair such public office. For purposes of this section, "public officer" shall mean a  
23 person who is elected to a political subdivision office. Any political subdivision employee  
24 shall be eligible to serve as a board member.

25       3. The members of the board shall select annually from among themselves a chair,  
26 a vice-chair, a treasurer, and such other officers as the board may determine, and shall  
27 establish their duties as may be regulated by rules adopted by the board.

28       4. The board shall have the power to organize and reorganize the executive,  
29 administrative, clerical, and other departments of the land bank agency and to fix the  
30 duties, powers, and compensation of all employees, agents, and consultants of the land  
31 bank agency. The board may cause the land bank agency to reimburse any member for  
32 expenses actually incurred in the performance of duties on behalf of the land bank agency.

33       5. The board shall meet in regular session according to a schedule adopted by the  
34 board, and shall meet in special session as convened by the chairman or upon written  
35 notice signed by a majority of the members. The presence of a majority of the board's total  
36 membership shall constitute a quorum to conduct business.

37       6. All actions of the board shall be approved by the affirmative vote of a majority  
38 of the members of the board present and voting; provided, however, that no action of the  
39 board shall be authorized on the following matters unless approved by a roll call vote of  
40 a majority of the entire board membership:

41 (1) Adoption of bylaws and other rules and regulations for conduct of the land  
42 bank agency's business;

43 (2) Hiring or firing of any employee or contractor of the land bank agency. This  
44 function may, by majority vote, be delegated by the board to a specified officer or  
45 committee of the land bank agency, under such terms and conditions, and to the extent,  
46 that the board may specify;

47 (3) The incurring of debt, including, without limitation, borrowing of money and  
48 the issuance of bonds, notes, or other obligations;

49 (4) Adoption or amendment of the annual budget;

50 (5) Sale of real property for a selling price that represents a consideration less than  
51 two-thirds of the appraised value of such property; and

52 (6) Lease, encumbrance, or alienation of real property, improvements, or personal  
53 property with a value of more than fifty thousand dollars.

54 7. The board members shall each furnish a surety bond, if such bond is not already  
55 covered by governmental surety bond, in a penal sum not to exceed twenty-five thousand  
56 dollars to be approved by the comptroller or director of finance of the municipality that  
57 established the land bank agency, issued by a surety company licensed to do business in  
58 this state, which bond shall be deposited with the county clerk of such county, and shall  
59 guarantee the faithful performance of such member's duties under sections 141.980 to  
60 141.1015, and shall be written to cover all the commissioners.

61 8. Before entering upon the duties of office, each board member shall take and  
62 subscribe to the following oath:

63 State of Missouri, )

64 ) ss

65 City of . . . )

66

67 I, . . . , do solemnly swear that I will support the Constitution of the United States and the  
68 Constitution of the State of Missouri; that I will faithfully and impartially discharge my  
69 duties as a member of the Land Bank of . . . , Missouri; that I will according to my best  
70 knowledge and judgment, administer such tax delinquent and other lands held by the land  
71 bank according to the laws of the State of Missouri and for the benefit of the public bodies  
72 and the tax bill owners which I represent, so help me God.

73 . . . . .

74 Subscribed and sworn to this . . . day of . . . , 20 . .

75 My appointment expires: . . . . .

76 . . . . .

77 Notary Public

78           **9. Members of the board shall not be liable personally on the bonds or other**  
79 **obligations of the land bank agency, and the rights of creditors of the land bank agency**  
80 **shall be solely against the assets of such land bank agency.**

81           **10. Vote by proxy shall not be permitted. Any member may request a recorded**  
82 **vote on any resolution or action of the land bank agency.**

**141.982. A land bank agency may employ a secretary, an executive director, its own**  
2 **counsel and legal staff, and such technical experts, and such other agents and employees,**  
3 **permanent or temporary, as it may require, and may determine the qualifications and fix**  
4 **the compensation and benefits of such persons. A land bank agency may also enter into**  
5 **contracts and agreements with political subdivisions for staffing services to be provided**  
6 **to the land bank agency by political subdivisions or agencies or departments thereof, or for**  
7 **a land bank agency to provide such staffing services to political subdivisions or agencies**  
8 **or departments thereof.**

**141.983. Subject to the other provisions of this chapter and all other applicable**  
2 **laws, a land bank agency established under this chapter shall have all powers necessary**  
3 **or appropriate to carry out and effectuate the purposes and provisions of this chapter as**  
4 **they relate to a land bank agency, including the following powers in addition to those**  
5 **herein otherwise granted:**

6           **(1) To adopt, amend, and repeal bylaws for the regulation of its affairs and the**  
7 **conduct of its business;**

8           **(2) To sue and be sued, in its own name, and plead and be impleaded in all civil**  
9 **actions, including, but not limited to, actions to clear title to property of the land bank**  
10 **agency;**

11           **(3) To adopt a seal and to alter the same at pleasure;**

12           **(4) To receive funds as grants from or to borrow from political subdivisions, the**  
13 **state, the federal government, or any other public or private sources;**

14           **(5) To issue notes and other obligations according to the provisions of this chapter;**

15           **(6) To procure insurance or guarantees from political subdivisions, the state, the**  
16 **federal government, or any other public or private sources, of the payment of any bond,**  
17 **note, loan, or other obligation, or portion thereof, incurred by the land bank agency, and**  
18 **to pay any fees or premiums in connection therewith;**

19           **(7) To enter into contracts and other instruments necessary, incidental, or**  
20 **convenient to the performance of its duties and the exercise of its powers, including, but**  
21 **not limited to, agreements with other land bank agencies and with political subdivisions**  
22 **for the joint exercise of powers under this chapter;**

23           **(8) To enter into contracts and other instruments necessary, incidental, or**  
24 **convenient to the performance of functions by the land bank agency on behalf of political**

25 subdivisions, or agencies or departments of political subdivisions, or the performance by  
26 political subdivisions, or agencies or departments of political subdivisions, of functions on  
27 behalf of the land bank agency;

28 (9) To make and execute contracts and other instruments necessary or convenient  
29 to the exercise of the powers of the land bank agency; and any contract or instrument when  
30 signed by the chair or vice-chair of the land bank agency, or by an authorized use of their  
31 facsimile signatures, and by the secretary or assistant secretary, or, treasurer or assistant  
32 treasurer of the land bank agency, or by an authorized use of their facsimile signatures,  
33 shall be held to have been properly executed for and on its behalf;

34 (10) To procure insurance against losses in connection with the property, assets, or  
35 activities of the land bank agency;

36 (11) To invest the money of the land bank agency, including amounts deposited in  
37 reserve or sinking funds, at the discretion of the board, in instruments, obligations,  
38 securities, or property determined proper by the board, and name and use depositories for  
39 its money;

40 (12) To enter into contracts for the management of, the collection of rent from, or  
41 the sale of the property of the land bank agency;

42 (13) To design, develop, construct, demolish, reconstruct, rehabilitate, renovate,  
43 relocate, equip, furnish, and otherwise improve real property or rights or interests in real  
44 property held by the land bank agency;

45 (14) To fix, charge, and collect rents, fees, and charges for the use of the property  
46 of the land bank agency and for services provided by the land bank agency;

47 (15) Subject to the limitation set forth in subsection 1 of section 141.980, to acquire  
48 property, whether by purchase, exchange, gift, lease, or otherwise, to grant or acquire  
49 licenses and easements, and to sell, lease, grant an option with respect to, or otherwise  
50 dispose of, any property of the land bank agency;

51 (16) Subject to the limitation set forth in subsection 1 of section 141.980, to enter  
52 into partnership, joint ventures, and other collaborative relationships with political  
53 subdivisions and other public and private entities for the ownership, management,  
54 development, and disposition of real property; and

55 (17) Subject to the other provisions of this chapter and all other applicable laws,  
56 to do all other things necessary or convenient to achieve the objectives and purposes of the  
57 land bank agency or other laws that relate to the purposes and responsibility of the land  
58 bank agency.

141.984. 1. Within one year of the effective date of the ordinance or resolution  
2 passed establishing a land bank agency under this chapter, title to any real property held  
3 by a land trust created pursuant to section 141.700 that is located wholly within the

4 municipality that created the land bank agency shall be transferred by deed to such land  
5 bank agency.

6       **2. The income of a land bank agency shall be exempt from all taxation by the state**  
7 **and by any of its political subdivisions. Upon acquiring title to any real estate, a land bank**  
8 **agency shall immediately notify the county assessor and the collector of such ownership,**  
9 **and such real estate shall be exempt from all taxation during the land bank agency's**  
10 **ownership thereof, in the same manner and to the same extent as any other publicly owned**  
11 **real estate, and upon the sale or other disposition of any real estate held by it, such land**  
12 **bank agency shall immediately notify the county assessor and the collector of such change**  
13 **of ownership; provided however, that such tax exemption for improved and occupied real**  
14 **property held by such land bank agency as lessor pursuant to a ground lease shall**  
15 **terminate upon the first such occupancy, and such land bank agency shall immediately**  
16 **notify the county assessor and the collector of such occupancy.**

17       **3. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank**  
18 **agency may acquire real property or interests in property by gift, devise, transfer,**  
19 **exchange, foreclosure, lease, purchase, or otherwise on terms and conditions and in a**  
20 **manner the land bank agency considers proper.**

21       **4. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank**  
22 **agency may acquire property by purchase contracts, lease purchase agreements,**  
23 **installment sales contracts, and land contracts, and may accept transfers from political**  
24 **subdivisions upon such terms and conditions as agreed to by the land bank agency and the**  
25 **political subdivision. Subject to the limitation set forth in subsection 1 of section 141.980,**  
26 **a land bank agency may bid on any parcel of real estate offered for sale at a sheriff's**  
27 **foreclosure sale held in accordance with section 141.550 provided that if the bid is not a**  
28 **deemed bid under subsection 3 of section 141.560, such parcel must be located within a low**  
29 **to moderate income area designated as a target area for revitalization by the municipality**  
30 **that created the land bank agency. Notwithstanding any other law to the contrary, but**  
31 **subject to the limitation set forth in subsection 1 of section 141.980, any political**  
32 **subdivision may transfer to the land bank agency real property and interests in real**  
33 **property of the political subdivision on such terms and conditions and according to such**  
34 **procedures as determined by the political subdivision.**

35       **5. A land bank agency shall maintain all of its real property in accordance with the**  
36 **laws and ordinances of the jurisdictions in which the real property is located.**

37       **6. Upon confirmation under section 141.580 of a sheriff's foreclosure sale of a**  
38 **parcel of real estate to a land bank agency under subdivision (2) of subsection 2 of section**  
39 **141.550, said land bank agency shall pay the amount of the land bank agency's bid that**  
40 **exceeds the amount of all tax bills included in the judgment, interest, penalties, attorney's**

41 fees and costs then due thereon. Such excess shall be applied and distributed in accordance  
42 with subsections 3 and 4 of section 141.580, exclusive of subdivision (3) of subsection 3  
43 thereof. Upon such confirmation by the court, the collector shall mark the tax bills  
44 included in the judgment as "canceled by sale to the land bank" and shall take credit for  
45 the full amount of such tax bills, including principal amount, interest, penalties, attorney's  
46 fees, and costs, on his books and in his statements with any other taxing authorities.

47 **141.985. 1. A land bank agency shall hold in its own name all real property**  
48 **acquired by such land bank agency irrespective of the identity of the transferor of such**  
49 **property.**

50 **2. A land bank agency shall maintain and make available for public review and**  
51 **inspection an inventory of all real property held by the land bank agency.**

52 **3. The land bank agency shall determine and set forth in policies and procedures**  
53 **of the board the general terms and conditions for consideration to be received by the land**  
54 **bank agency for the transfer of real property and interests in real property, which**  
55 **consideration may take the form of monetary payments and secured financial obligations,**  
56 **covenants, and conditions related to the present and future use of the property, contractual**  
57 **commitments of the transferee, and such other forms of consideration as determined by the**  
58 **board to be in the best interest of the land bank agency.**

59 **4. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank**  
60 **agency may convey, exchange, sell, transfer, lease, grant, release and demise, pledge and**  
61 **hypothecate any and all interests in, upon or to property of the land bank agency.**

62 **5. A municipality may, in its resolution or ordinance creating a land bank agency**  
63 **establish a hierarchical ranking of priorities for the use of real property conveyed by such**  
64 **land bank agency, subject to subsection 7 of this section, including but not limited to:**

65 **(1) Use for purely public spaces and places;**

66 **(2) Use for affordable housing;**

67 **(3) Use for retail, commercial and industrial activities;**

68 **(4) Use as wildlife conservation areas; and**

69 **(5) Such other uses and in such hierarchical order as determined by such**  
70 **municipality.**

71 **6. A municipality may, in its resolution or ordinance creating a land bank agency,**  
72 **require that any particular form of disposition of real property, or any disposition of real**  
73 **property located within specified geographical areas, be subject to specified voting and**  
74 **approval requirements of the board that are not inconsistent with section 141.981 or**  
75 **section 141.983. Except and unless restricted or constrained in this manner, the board may**  
76 **delegate to officers and employees the authority to enter into and execute agreements,**

77 instruments of conveyance and all others related documents pertaining to the conveyance  
78 of property by the land bank agency.

79           7. A land bank agency shall act expeditiously to return the real property acquired  
80 by it to the tax rolls and shall market and sell such real property using an open, public  
81 method that ensures the best possible price is realized while ensuring such real property  
82 is returned to a suitable, productive use for the betterment of the neighborhoods in which  
83 such real property is located.

84           8. When any parcel of real estate acquired by a land bank agency pursuant to a  
85 deemed sale under subsection 3 of section 141.560, by deed from a land trust under  
86 subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection  
87 2 of section 141.550 is sold or otherwise disposed of by such land bank agency, the proceeds  
88 therefrom shall be applied and distributed in the following order:

89           (1) To the payment of the expenses of sale;

90           (2) To fulfill the requirements of the resolution, indenture or other financing  
91 documents adopted or entered into in connection with bonds, notes or other obligations of  
92 the land bank agency, to the extent that such requirements may apply with respect to such  
93 parcel of real estate;

94           (3) The balance to be retained by the land bank agency to pay the salaries and  
95 other expenses of such land bank agency and of its employees as provided for in its annual  
96 budget;

97           (4) Any funds in excess of those necessary to meet the expenses of the annual budget  
98 of the land bank agency in any fiscal year and a reasonable sum to carry over into the next  
99 fiscal year to assure that sufficient funds will be available to meet initial expenses for that  
100 next fiscal year, exclusive of net profit from the sale of ancillary parcels, shall be paid to  
101 the respective taxing authorities that, at the time of the distribution, are taxing the real  
102 property from which the proceeds are being distributed. The distributions shall be in  
103 proportion to the amounts of the taxes levied on the properties by the taxing authorities.  
104 Distribution shall be made on January first and July first of each year, and at such other  
105 times as the board may determine.

106           9. When any ancillary parcel is sold or otherwise disposed of by such land bank  
107 agency, the proceeds therefrom shall be applied and distributed in the following order:

108           (1) To the payment of all land taxes and related charges then due on such parcel;

109           (2) To the payment of the expenses of sale;

110           (3) To fulfill the requirements of the resolution, indenture or other financing  
111 documents adopted or entered into in connection with bonds, notes or other obligations of  
112 the land bank agency, to the extent that such requirements may apply with respect to such  
113 parcel of real estate;

114           **(4) The balance to be retained by the land bank agency to pay the salaries and**  
115 **other expenses of such land bank agency and of its employees as provided for in its annual**  
116 **budget;**

117           **(5) Any funds in excess of those necessary to meet the expenses of the annual budget**  
118 **of the land bank agency in any fiscal year and a reasonable sum to carry over into the next**  
119 **fiscal year to assure that sufficient funds will be available to meet initial expenses for that**  
120 **next fiscal year, may be paid in accordance with subdivision (3) of subsection 8 of this**  
121 **section.**

**141.988. 1. A land bank agency may receive funding through grants and loans**  
2 **from political subdivisions, from the state, from the federal government, and from other**  
3 **public and private sources.**

4           **2. Except as otherwise provided in subsections 8 and 9 of section 141.985, a land**  
5 **bank agency may receive and retain payments for services rendered, for rents and**  
6 **leasehold payments received, for consideration for disposition of real and personal**  
7 **property, for proceeds of insurance coverage for losses incurred, for income from**  
8 **investments, and for any other asset and activity lawfully permitted to a land bank agency**  
9 **under this chapter.**

10           **3. If a land bank agency sells or otherwise disposes of a parcel of real estate held**  
11 **by it, any land taxes assessed against such parcel for the three tax years following such sale**  
12 **or disposition by such land bank agency that are collected by the collector in a calendar**  
13 **year and not refunded, less the fees provided under section 52.260 and subsection 4 of this**  
14 **section and less the amounts to be deducted under section 137.720, shall be distributed by**  
15 **the collector to such land bank agency no later than March 1 of the following calendar**  
16 **year; provided that land taxes impounded under section 139.031 or otherwise paid under**  
17 **protest shall not be subject to distribution under this subsection. Any amount required to**  
18 **be distributed to a land bank agency under this subsection shall be subject to offset for**  
19 **amounts previously distributed to such land bank agency that were assessed, collected or**  
20 **distributed in error.**

21           **4. In addition to any other provisions of law related to collection fees, the collector**  
22 **shall collect on behalf of the county a fee of four percent of reserve period taxes collected**  
23 **and such fees collected shall be deposited in the county general fund.**

**141.991. There shall be an annual audit of the affairs, accounts, expenses, and**  
2 **financial transactions of a land bank agency by certified public accountants as of April**  
3 **thirtieth of each year, which accountants shall be employed by the commissioners on or**  
4 **before March first of each year, and certified copies thereof shall be furnished to the**  
5 **appointing authorities described in section 141.981, and shall be available for public**  
6 **inspection at the office of the land bank agency. In addition to the annual audit provided**

7 for in this subdivision, the land bank agency may be performance audited at any time by  
8 the state auditor or by the auditor of the municipality that established the land bank  
9 agency. The cost of such audit shall be paid by the land bank agency, and copies shall be  
10 made available to the public within thirty days of the completion of the audit.

11 **141.994. 1. A land bank agency shall have power to issue bonds, with approval of**  
12 **the municipality that created the land bank agency, for any of its corporate purposes,**  
13 **which bonds shall be special, limited obligations of the land bank agency, the principal of**  
14 **and interest on which shall be payable solely from the income and revenue derived from**  
15 **the sale, lease, or other disposition of the assets of the land bank agency, or such portion**  
16 **thereof as may be designated in the resolution, indenture or other financing documents**  
17 **relating to the issuance of the bonds. In the discretion of the land bank agency, any of such**  
18 **bonds may be secured by a pledge of additional revenues, including grants, contributions**  
19 **or guarantees from the state, the federal government, or any agency or instrumentality**  
20 **thereof, or by a mortgage or other security device covering all or part of the property from**  
21 **which the revenues so pledged may be derived.**

22 **2. Bonds issued by a land bank agency shall not be deemed to be an indebtedness**  
23 **within the meaning of any constitutional or statutory limitation upon the incurring of**  
24 **indebtedness. The bonds shall not constitute a debt, liability or obligation of the state or**  
25 **of any political subdivision thereof, except in accordance with subsection 4 of this section,**  
26 **or a pledge of the full faith and credit or the taxing power of the state or of any such**  
27 **political subdivision, and the bonds shall contain a recital to that effect. Neither the**  
28 **members of the board nor any person executing the bonds shall be liable personally on the**  
29 **bonds by reason of the issuance thereof.**

30 **3. Bonds issued by a land bank agency shall be authorized by resolution of the**  
31 **board and shall be issued in such form, shall be in such denominations, shall bear interest**  
32 **at such rate or rates, shall mature on such dates and in such manner, shall be subject to**  
33 **redemption at such times and on such terms, and shall be executed by one or more**  
34 **members of the board, as provided in the resolution authorizing the issuance thereof or as**  
35 **set out in the indenture or other financing document authorized and approved by such**  
36 **resolution. The board may sell such bonds in such manner, either at public or at private**  
37 **sale, and for such price as it may determine to be in the best interests of the land bank**  
38 **agency.**

39 **4. Any political subdivision may elect to guarantee, insure, or otherwise become**  
40 **primarily or secondarily obligated with respect to the bonds issued by a land bank agency**  
41 **subject, however, to the provisions of Missouri law applicable to the incurrence of**  
42 **indebtedness by such political subdivision. No political subdivision shall have any such**  
43 **obligation if it does not so elect.**

34           **5. A land bank agency may from time to time, as authorized by resolution of the**  
35 **board, issue refunding bonds for the purpose of refunding, extending and unifying all or**  
36 **any part of its valid outstanding bonds. Such refunding bonds may be payable from any**  
37 **of the sources identified in subsections 1 and 4 of this section, and from the investment of**  
38 **any of the proceeds of the refunding bonds.**

39           **6. The bonds issued by a land bank agency shall be negotiable instruments**  
40 **pursuant to the provisions of the uniform commercial code of the state of Missouri.**

41           **7. Bonds issued pursuant to this section and all income or interest thereon shall be**  
42 **exempt from all state taxes, except estate and transfer taxes.**

43           **8. A land bank agency shall have the power to issue temporary notes upon the same**  
44 **terms and subject to all provisions and restrictions applicable to bonds under this section.**  
45 **Such notes issued by a land bank agency may be refunded by notes or bonds authorized**  
46 **under this section.**

**141.997. Except as otherwise provided under Missouri law, all board meetings shall**  
2 **be open to the public and the board shall cause minutes and a record to be kept of all its**  
3 **proceedings. The land bank agency shall be subject to the provisions of chapter 610,**  
4 **chapter 109, and any other applicable provisions of law governing public records and**  
5 **public meetings.**

**141.1000. Neither the members of the board nor any salaried employee of a land**  
2 **bank agency shall receive any compensation, emolument, or other profit directly or**  
3 **indirectly from the rental, management, acquisition, sale, demolition, repair, rehabilitation,**  
4 **use, operation, ownership or disposition of any lands held by such land bank agency other**  
5 **than the salaries, expenses, and emoluments provided for in sections 141.980 to 141.1015.**  
6 **Neither the members of the board nor any salaried employee of a land bank agency shall**  
7 **own, directly or indirectly, any legal or equitable interest in or to any lands held by such**  
8 **land bank agency other than the salaries, expenses, and emoluments provided for in**  
9 **sections 141.980 to 141.1015. A violation of this section is a felony. Any person found**  
10 **guilty of violating this section shall be sentenced to a term of imprisonment of not less than**  
11 **two nor more than five years. The board of a land bank agency may adopt supplemental**  
12 **rules and regulations addressing potential conflicts of interest and ethical guidelines for**  
13 **members of the board and land bank agency employees, provided that such rules and**  
14 **regulations are not inconsistent with this chapter or any other applicable law.**

**141.1003. Except as otherwise expressly set forth in this chapter, in the exercise of**  
2 **its powers and duties under this chapter and its powers relating to property held by the**  
3 **land bank agency, the land bank agency shall have complete control of such property as**  
4 **fully and completely as if it were a private property owner.**

141.1006. 1. Whenever any ancillary parcel is acquired by a land bank agency and is encumbered by a lien or claim for real property taxes owed to a taxing authority, such taxing authority may elect to contribute to the land bank agency all or any portion of such taxes that are distributed to and received by such taxing authority.

2. To the extent that a land bank agency receives payments or credits of any kind attributable to liens or claims for real property taxes owed to a taxing authority, the land bank agency shall remit the full amount of the payments to the collector for distribution to the appropriate taxing authority.

141.1009. 1. A land bank agency shall be authorized to file an action to quiet title pursuant to section 527.150 as to any real property in which the land bank agency has an interest. For purposes of any and all such actions the land bank agency shall be deemed to be the holder of sufficient legal and equitable interests, and possessory rights, so as to qualify the land bank agency as adequate petitioner in such action.

2. Prior to the filing of an action to quiet title the land bank agency shall conduct an examination of title to determine the identity of any and all persons and entities possessing a claim or interest in or to the real property. Service of the petition to quiet title shall be provided to all such interested parties by the following methods:

(1) Registered or certified mail to such identity and address as reasonably ascertainable by an inspection of public records;

(2) In the case of occupied real property by first class mail, addressed to "Occupant";

(3) By posting a copy of the notice on the real property;

(4) By publication in a newspaper of general circulation in the municipality in which the property is located; and

(5) Such other methods as the court may order.

3. As part of the petition to quiet title the land bank agency shall file an affidavit identifying all parties potentially having an interest in the real property, and the form of notice provided.

4. The court shall schedule a hearing on the petition within ninety days following filing of the petition, and as to all matters upon which an answer was not filed by an interested party the court shall issue its final judgment within one hundred twenty days of the filing of the petition.

5. A land bank agency shall be authorized to join in a single petition to quiet title to one or more parcels of real property.

141.1012. A land bank agency may be dissolved as a public body corporate and politic not less than sixty calendar days after an ordinance or resolution for such dissolution is passed by the municipality that established the land bank agency. Not less

4 than sixty calendar days advance written notice of consideration of such an ordinance or  
5 resolution of dissolution shall be given to the members of the board of the land bank  
6 agency, shall be published in a local newspaper of general circulation within such  
7 municipality, and shall be sent certified mail to each trustee of any outstanding bonds of  
8 the land bank agency. No land bank agency shall be dissolved while there remains  
9 outstanding any bonds, notes, or other obligations of the land bank agency unless such  
10 bonds, notes, or other obligations are paid or defeased pursuant to the resolution,  
11 indenture or other financing document under which such bonds, notes, or other obligations  
12 were issued prior to or simultaneously with such dissolution. Upon dissolution of a land  
13 bank agency pursuant to this section, all real property, personal property, and other assets  
14 of the land bank agency shall be transferred by appropriate written instrument to and  
15 shall become the assets of the municipality that established the land bank agency. Such  
16 municipality shall act expeditiously to return such real property to the tax rolls and shall  
17 market and sell such real property using an open, public method that ensures the best  
18 possible prices are realized while ensuring such real property is returned to a suitable,  
19 productive use for the betterment of the neighborhoods in which such real property is  
20 located. Any such real property that was acquired by the dissolved land bank agency  
21 pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust  
22 under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of  
23 subsection 2 of section 141.550 shall be held by such municipality in trust for the tax bill  
24 owners and taxing authorities having an interest in any tax liens which were foreclosed,  
25 as their interests may appear in the judgment of foreclosure, and upon the sale or other  
26 disposition of any such property by such municipality, the proceeds therefrom shall be  
27 applied and distributed in the following order:

- 28 (1) To the payment of the expenses of sale;  
29 (2) To the reasonable costs incurred by such municipality in maintaining and  
30 marketing such property; and  
31 (3) The balance shall be paid to the respective taxing authorities that, at the time  
32 of the distribution, are taxing the real property from which the proceeds are being  
33 distributed.

141.1015. A land bank agency shall neither possess nor exercise the power of  
2 eminent domain. A land bank agency shall not have the power to tax.

143.782. As used in sections 143.782 to [143.788] 143.790, unless the context clearly  
2 requires otherwise, the following terms shall mean and include:

- 3 (1) "Court", the supreme court, court of appeals, or any circuit court of the state;  
4 (2) "Debt", any sum due and legally owed to any state agency which has accrued through  
5 contract, subrogation, tort, or operation of law regardless of whether there is an outstanding

6 judgment for that sum, court costs as defined in section 488.010, fines and fees owed, or any  
 7 support obligation which is being enforced by the division of family services on behalf of a  
 8 person who is receiving support enforcement services pursuant to section 454.425, or any claim  
 9 for unpaid health care services which is being enforced by the [department of health and senior  
 10 services] **claim clearinghouse** on behalf of a [hospital or health care] provider **of ambulance**  
 11 **services** under section 143.790;

12 (3) "Debtor", any individual, sole proprietorship, partnership, corporation or other legal  
 13 entity owing a debt;

14 (4) "Department", the department of revenue of the state of Missouri;

15 (5) "Refund", the Missouri income tax refund which the department determines to be due  
 16 any taxpayer pursuant to the provisions of this chapter. The amount of a refund shall not include  
 17 any senior citizens property tax credit provided by sections 135.010 to 135.035 unless such  
 18 refund is being offset for a delinquency or debt relating to individual income tax or a property  
 19 tax credit; and

20 (6) "State agency", any department, division, board, commission, office, or other agency  
 21 of the state of Missouri, including public community college districts and housing authorities as  
 22 defined in section 99.020.

**143.789. The director of the department shall have the authority to impose an offset  
 2 against a refund owed to any taxpayer for the following items and in the following order  
 3 of priority:**

4 (1) **Delinquent taxes owed by the taxpayer to the state of Missouri;**

5 (2) **Debts owed by such taxpayer to any state agency or support obligation owed by  
 6 such taxpayer which is enforced by the division of family services on behalf of a person  
 7 who is receiving support enforcement services under section 454.425;**

8 (3) **Collection assistance fees authorized under section 143.790;**

9 (4) **Eligible claims under section 143.790; and**

10 (5) **Delinquent taxes owed by the taxpayer to the United States.**

143.790. 1. [Any hospital or health care provider who has provided health care services  
 2 to an individual who was not covered by a health insurance policy or was not eligible to receive  
 3 benefits under the state's medical assistance program of needy persons, Title XIX, P.L. 89-97,  
 4 1965 amendments to the federal Social Security Act, 42 U.S.C. Section 301, et seq., under  
 5 chapter 208, and the health insurance for uninsured children under sections 208.631 to 208.657,  
 6 at the time such health care services were administered, and such person has failed to pay for  
 7 such services for a period greater than ninety days, may submit a claim to the director of the  
 8 department of health and senior services for the unpaid health care services. The director of the  
 9 department of health and senior services shall review such claim. If the claim appears  
 10 meritorious on its face, the claim for the unpaid medical services shall constitute a debt of the

11 department of health and senior services for purposes of sections 143.782 to 143.788, and the  
12 director may certify the debt to the department of revenue in order to set off the debtor's income  
13 tax refund. Once the debt has been certified, the director of the department of health and senior  
14 services shall submit the debt to the department of revenue under the setoff procedure established  
15 under section 143.783.

16 2. At the time of certification, the director of the department of health and senior services  
17 shall supply any information necessary to identify each debtor whose refund is sought to be set  
18 off pursuant to section 143.784 and certify the amount of the debt or debts owed by each such  
19 debtor.

20 3. If a debtor identified by the director of the department of health and senior services  
21 is determined by the department of revenue to be entitled to a refund, the department of revenue  
22 shall notify the department of health and senior services that a refund has been set off on behalf  
23 of the department of health and senior services for purposes of this section and shall certify the  
24 amount of such setoff, which shall not exceed the amount of the claimed debt certified. When  
25 the refund owed exceeds the claimed debt, the department shall send the excess amount to the  
26 debtor within a reasonable time after such excess is determined.

27 4. The department of revenue shall notify the debtor by certified mail the taxpayer whose  
28 refund is sought to be set off that such setoff will be made. The notice shall contain the  
29 provisions contained in subsection 3 of section 143.794, including the opportunity for a hearing  
30 to contest the setoff provided therein, and shall otherwise substantially comply with the  
31 provisions of subsection 3 of section 143.784.

32 5. Once a debt has been set off and finally determined under the applicable provisions  
33 of sections 143.782 to 143.788, and the department of health and senior services has received  
34 the funds transferred from the department of revenue, the department of health and senior  
35 services shall settle with each hospital or health care provider for the amounts that the  
36 department of revenue set off for such party. At the time of each settlement, each hospital or  
37 health care provider shall be charged for administration expenses which shall not exceed twenty  
38 percent of the collected amount.

39 6. Lottery prize payouts made under section 313.321, shall also be subject to the setoff  
40 procedures established in this section and any rules and regulations promulgated thereto.

41 7. The director of the department of revenue shall have priority to offset any delinquent  
42 tax owed to the state of Missouri. Any remaining refund shall be offset to pay a state agency  
43 debt or to meet a child support obligation that is enforced by the division of family services on  
44 behalf of a person who is receiving support enforcement services under section 454.425.

45 8.] **As used in this section, the following terms shall mean:**

46 **(1) "Appeals committee", a committee consisting of at least three people appointed**  
47 **by a provider to hear patient appeals of review officer rulings:**

- 48           **(a) That the provider has a valid claim;**  
49           **(b) Regarding the amount of the claim;**  
50           **(c) That a claim qualifies as an eligible claim under this section;**  
51           **(2) "Collection assistance fee", a fee in the amount of fourteen dollars payable to**  
52 **the general fund of this state for each debt setoff being processed and an additional**  
53 **seventeen dollars payable to the claim clearinghouse for each debt being processed by the**  
54 **claim clearinghouse shall be recovered from each eligible claim to recover the costs**  
55 **incurred in collecting debts under this section;**  
56           **(3) "Court", the supreme court, court of appeals, or any circuit court of the state,**  
57 **or any of their judicially or legislatively created subdivisions;**  
58           **(4) "Department", the department of revenue;**  
59           **(5) "Claim", a claim by a provider to receive payment of fifty dollars or more for**  
60 **health care services provided by such provider to a patient which has not been paid in**  
61 **whole or in part by the patient or third-party payer for more than one hundred sixty days**  
62 **after the date the provider has exhausted all available means of collecting the payment**  
63 **from the patient or the third-party payer, provided that in order to exhaust its available**  
64 **means of collecting the payment the provider will not be required to file a legal claim**  
65 **against the patient or third- party payer in state or federal court;**  
66           **(6) "Claim clearinghouse", the entity selected by the department to receive and**  
67 **submit eligible claims on behalf of a provider in accordance with this section. The claim**  
68 **clearinghouse shall be selected by the department through use of and in compliance with**  
69 **the applicable requirements of chapter 34;**  
70           **(7) "Financial hardship policy", a policy maintained by a provider to establish the**  
71 **circumstances in which a patient will be relieved of the obligation to pay a claim as a result**  
72 **of his or her financial condition. The terms of the provider's financial hardship policy**  
73 **shall be consistent with applicable Medicare guidelines regarding financial hardship. Each**  
74 **provider utilizing the claim clearinghouse to collect a claim shall maintain and utilize a**  
75 **financial hardship policy;**  
76           **(8) "Health care services", any services that a provider renders to a patient in the**  
77 **course of such provider's furnishing of ambulance services to the patient. Health care**  
78 **services shall include, but not be limited to, treatment of patients and transporting of**  
79 **patients incidental or pursuant to the delivery of ambulance services by a provider or in**  
80 **furtherance of the purposes for which such provider is organized and licensed, provided**  
81 **that with respect to ground ambulance services provided by a provider that is not owned**  
82 **and operated by a city, county, municipality, political subdivision, governmental entity, or**  
83 **an entity that is exempt from federal and state income taxation, health care services shall**  
84 **only include those ground ambulance services provided by the provider that qualify as**

85 emergency services as defined in section 190.100 and are provided under the terms of an  
86 agreement between the provider and a city, county, municipality, political subdivision, or  
87 a governmental entity under section 190.105;

88 (9) "Patient", an individual who has received health care services from a provider  
89 and who was not, at the time such health care services were provided:

90 (a) Eligible to receive benefits under the state's medical assistance program for  
91 needy persons under chapter 208 and the health insurance for uninsured children under  
92 sections 208.631 to 208.657; and

93 (b) Eligible for relief from the claim pursuant to the provider's financial hardship  
94 policy;

95 (10) "Provider", any provider of ambulance services licensed by the Missouri  
96 department of health and senior services in accordance with chapter 190, to include but  
97 not be limited to any provider of air ambulance services licensed under section 190.108 and  
98 any provider of ground ambulance services licensed under section 190.109;

99 (11) "Refund", a patient's Missouri income tax refund which the department  
100 determines to be due under the provisions of this chapter;

101 (12) "Review officer", a person designated by a provider to review claims, at the  
102 request of a patient, to determine whether such provider has a valid claim, the amount of  
103 such claim, and whether such claim qualifies as an eligible claim under this section.

104 2. Prior to submission of a claim to the claim clearinghouse, a provider shall send  
105 written notice to a patient that such provider intends to submit a claim to the claim  
106 clearinghouse for collection by setoff under this section. The notice shall:

107 (1) Provide the basis for the claim;

108 (2) State that the provider intends to request that the department apply the  
109 patient's refund against the claim;

110 (3) State that a collection assistance fee will be added to the claim if it is submitted  
111 for setoff;

112 (4) Inform the patient of the right to contest the validity or amount of such claim  
113 by filing a request for a review with the provider; and

114 (5) State the time limit and procedure for requesting such review, and that failure  
115 to request a review within thirty days following receipt of the notice required under this  
116 section shall result in submission of the claim to the claim clearinghouse for setoff of the  
117 debt by the department.

118 3. Upon receipt of the notice required under subsection 2 of this section, any patient  
119 seeking review of a claim with the provider shall file a written request for review within  
120 thirty days of receipt of such notice. A request for a review shall be deemed filed when  
121 properly addressed and delivered to the United States Postal Service for mailing with

122 **postage prepaid. A review officer shall be appointed by the provider to review such claim.**  
123 **In reviewing a claim, any issue that has previously been litigated in a court proceeding**  
124 **shall not be considered by the review officer. If the patient seeks a review of the claim and**  
125 **the review officer finds either that the claim is invalid or the claim does not qualify as an**  
126 **eligible claim under this section, the review officer's determination shall be final and**  
127 **binding on the provider and such provider shall have no right to appeal such**  
128 **determination. If all or part of the claim is found by the review officer to be valid and**  
129 **eligible for setoff under this section, the review officer shall notify the provider and the**  
130 **patient of such fact. Such notice shall:**

131 **(1) Inform the patient that the patient has the right to appeal the review officer's**  
132 **determination by filing an appeal with the appeals committee;**

133 **(2) State the time limit and procedure for requesting such an appeal; and**

134 **(3) State that failure to request the appeal within thirty days following receipt of**  
135 **the notice required under this subsection shall result in submission of the claim to the claim**  
136 **clearinghouse for setoff of the debt by the department.**

137 **4. Upon receipt of the notice required under subsection 3 of this section, any patient**  
138 **seeking an appeal of a determination of a review officer under this section shall file a**  
139 **written request for such appeal within thirty days following receipt of such notice. An**  
140 **appeal shall be deemed filed when properly addressed and delivered to the United States**  
141 **Postal Service for mailing with postage prepaid. An appeal of a review officer's**  
142 **determination shall be heard by an appeals committee. In an appeal under this section,**  
143 **any issue that has been previously litigated in a court proceeding shall not be considered.**  
144 **A decision made after an appeal under this section shall determine whether a claim is owed**  
145 **to the provider, the amount of the claim, and whether the claim is an eligible claim under**  
146 **this section.**

147 **5. If the appeals committee finds a claim to be invalid or otherwise ineligible under**  
148 **this section, the decision of the appeals committee shall be final and binding on the**  
149 **provider and may not be appealed by the provider. If all or part of the claim is found by**  
150 **the appeals committee to be valid and eligible for setoff under this section, the appeals**  
151 **committee shall notify the provider and the patient of such fact. Such notice shall:**

152 **(1) Inform the patient that the patient has the right to challenge the appeals**  
153 **committee determination by notifying the provider that it disagrees with the determination**  
154 **and advising the provider as to the basis of such disagreement;**

155 **(2) State that the patient must notify the provider of the challenge within ninety**  
156 **days of the patient's receipt of the notice from the appeals committee;**

157 **(3) Advise the patient that if the patient challenges the appeals committee's**  
158 **determination under this subsection, the provider will not be permitted to setoff the**

159 provider's claim against the patient's refund under this section unless and until the  
160 provider files suit against the patient in court seeking a determination that the provider's  
161 claim is valid regarding the amount of the claim and that the claim is eligible for setoff  
162 under this section, and the court determines that the provider's claim is valid, the amount  
163 of the provider's claim, and that provider's claim is eligible for setoff under this section;  
164 and

165 (4) Advise the patient that if the patient does not challenge the appeal committee's  
166 determination under this subsection, the provider will submit the claim to the claim  
167 clearinghouse for setoff by the department under this subsection.

168 6. If the provider prevails in the lawsuit filed under subsection 5 of this section, the  
169 provider may submit the claim to the claim clearinghouse for setoff by the department  
170 under this section. If the patient prevails in the lawsuit filed by the provider under  
171 subsection 5 of this section, the provider shall be:

172 (1) Forever barred from submitting the claim to the claim clearinghouse for setoff  
173 by the department under this section;

174 (2) Forever barred from taking any other steps to collect the amount of the claim  
175 from the patient; and

176 (3) Obligated to reimburse the patient for court costs and attorney's fees associated  
177 with the lawsuit filed under subsection 5 of this section.

178 7. Any provider may submit a claim to the claim clearinghouse for review. In  
179 connection with its submission of a claim to the claim clearinghouse, the provider,  
180 whenever possible, shall provide the claim clearinghouse with the patient's full name,  
181 Social Security number, address, and any other identifying information that the  
182 department advises the claim clearinghouse is necessary for the department to setoff the  
183 claim under this section. The provider shall also provide the claim clearinghouse with  
184 information demonstrating the provider's compliance with the requirements of this section  
185 with respect to the claim.

186 8. If the claim clearinghouse receives sufficient evidence that a provider has fully  
187 complied with the requirements of this section and finds the claim valid, the claim shall be  
188 deemed eligible for setoff by the department under this section and shall be forwarded to  
189 the department. In connection with its submission of the claim to the department, the  
190 claim clearinghouse, whenever possible, shall provide the department with the patient's full  
191 name, Social Security number, address, and any other identifying information that the  
192 department advises the claim clearinghouse is necessary for the department to setoff the  
193 claim under this section.

194           **9. If the claim clearinghouse determines that the provider has failed to comply with**  
195 **any applicable requirements in this section or that the claim is not valid, the claim**  
196 **clearinghouse shall return the claim to the provider.**

197           **10. If the department determines that a patient identified by a provider in an**  
198 **eligible claim filed with the department is entitled to a refund, the department shall notify**  
199 **the claim clearinghouse that a refund is available for setoff and the amount of such refund,**  
200 **and whether the refund results from a joint or combined return. Notwithstanding any**  
201 **provision of section 32.057 and any other confidentiality statute of this state to the**  
202 **contrary, the department may provide the claim clearinghouse with all information**  
203 **necessary to accomplish and carry out the provisions of this section and section 143.789,**  
204 **but shall not provide the claim clearinghouse with any information whose disclosure is**  
205 **prohibited by Section 6103(d) of the Internal Revenue Code of 1986, as amended. The**  
206 **information obtained by the claim clearinghouse from the department in accordance with**  
207 **this section and section 143.789 shall retain its confidentiality and shall only be used by the**  
208 **claim clearinghouse for the purpose described in this section and section 143.789.**

209           **11. (1) At that time, the department shall also notify the patient by regular mail**  
210 **that setoff against the patient's tax refund has been authorized under this section. The**  
211 **notice shall include the following information:**

212           **(a) The amount of the eligible claim and the name of the provider seeking setoff;**

213           **(b) That a setoff to the patient's refund against the eligible claim has been**  
214 **performed; and**

215           **(c) Any amount of the refund remaining after the offset of the eligible claim.**

216           **(2) In the case of a joint or combined return, the notice shall also state the name of**  
217 **the nonobligated taxpayer named in the return, if any, against whom no claim is asserted,**  
218 **the fact that no claim is asserted against such taxpayer, and the fact that such taxpayer is**  
219 **entitled to receive a refund if it is due the taxpayer regardless of the claim asserted against**  
220 **the taxpayer's spouse. In order to obtain the refund due the taxpayer, the taxpayer shall**  
221 **apply in writing for an apportionment of the refund with the department within thirty**  
222 **days of the date of receipt of the notice unless, in anticipation of the setoff of the taxpayer's**  
223 **spouse's refund, such nonobligated taxpayer provided the department with a request for**  
224 **apportionment of the anticipated refund which was filed at the same time the original tax**  
225 **return was filed, in which case the department shall determine the apportionment of the**  
226 **refund and forward the determination of apportionment and the nonobligated taxpayer's**  
227 **portion of the refund to the nonobligated taxpayer within fifteen working days of the**  
228 **transfer of the obligated taxpayer's portion of the refund to the claim clearinghouse.**  
229 **Unless a request for apportionment of the anticipated refund was provided to the**  
230 **department as provided in this section, within ninety days after the filing of such**

231 taxpayer's application for apportionment of the refund with the department a  
232 determination of apportionment shall be mailed to the nonobligated taxpayer by the  
233 department. The apportionment of the refund shall be final upon the expiration of thirty  
234 days from the date on which the determination of apportionment is mailed to the  
235 nonobligated taxpayer unless, within such thirty-day period, the nonobligated taxpayer  
236 applies in writing for a hearing with the department.

237 **12. (1) The department shall then pay to the claim clearinghouse the amount that**  
238 **the department has setoff for such provider, which shall include the collection assistance**  
239 **fee allocable to the claim clearinghouse. In the event the department is unable to setoff the**  
240 **entire eligible claim and collection assistance fee under this section, the setoff of the**  
241 **collection assistance fee shall have priority over the setoff of the eligible claim.**

242 **(2) If, in addition to the collection assistance fee, any portion of the eligible claim**  
243 **is setoff under this section, the provider shall be:**

244 **(a) Forever barred from resubmitting the remainder of the claim to the claim**  
245 **clearinghouse for setoff by the department under this section; and**

246 **(b) Forever barred from taking any other steps to collect the amount of the claim**  
247 **from the patient.**

248 **(3) If, after the department has paid to the claim clearinghouse the amount that the**  
249 **department has setoff for the provider, the provider is found not to have complied with any**  
250 **applicable requirement of this section, the provider shall send to the patient the entire**  
251 **amount of the claim offset by the department for the provider plus an amount equal to the**  
252 **collection assistance fee.**

253 **13. In addition to refunds, lottery prize payouts made under section 313.321 shall**  
254 **be subject to the setoff procedures established in this section, provided, however, that a**  
255 **provider receiving a partial claim setoff against a lottery prize payout shall not be subject**  
256 **to the prohibitions under subdivision (2) of subsection 12 of this section.**

257 **14. The director of the department of revenue and the director of the department of**  
258 **health and senior services shall promulgate rules and regulations necessary to administer the**  
259 **provisions of this section. Any rule or portion of a rule, as that term is defined in section**  
260 **536.010, that is created under the authority delegated in this section shall become effective only**  
261 **if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section**  
262 **536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the**  
263 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove**  
264 **and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority**  
265 **and any rule proposed or adopted after August 28, 2007, shall be invalid and void.**

190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency  
2 telephone services, the county commission of any county may impose a county sales tax for the

3 provision of central dispatching of fire protection, including law enforcement agencies,  
4 emergency ambulance service or any other emergency services, including emergency telephone  
5 services, which shall be collectively referred to herein as "emergency services", and which may  
6 also include the purchase and maintenance of communications and emergency equipment,  
7 including the operational costs associated therein, in accordance with the provisions of this  
8 section.

9         2. Such county commission may, by a majority vote of its members, submit to the voters  
10 of the county, at a public election, a proposal to authorize the county commission to impose a  
11 tax under the provisions of this section. If the residents of the county present a petition signed  
12 by a number of residents equal to ten percent of those in the county who voted in the most recent  
13 gubernatorial election, then the commission shall submit such a proposal to the voters of the  
14 county.

15         3. The ballot of submission shall be in substantially the following form:

16         Shall the county of ..... (insert name of county) impose a county  
17 sales tax of ..... (insert rate of percent) percent for the purpose of providing central  
18 dispatching of fire protection, emergency ambulance service, including emergency telephone  
19 services, and other emergency services?

20                                  YES                                  NO

21

22 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor  
23 of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes  
24 cast by the qualified voters voting are opposed to the proposal, then the county commission shall  
25 have no power to impose the tax authorized by this section unless and until the county  
26 commission shall again have submitted another proposal to authorize the county commission to  
27 impose the tax under the provisions of this section, and such proposal is approved by a majority  
28 of the qualified voters voting thereon.

29         4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from  
30 the sale at retail of all tangible personal property or taxable services at retail within any county  
31 adopting such tax, if such property and services are subject to taxation by the state of Missouri  
32 under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior  
33 to thirty-six months before operation of the central dispatching of emergency services.

34         5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall  
35 apply to the tax imposed under this section.

36         6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year  
37 in which the tax imposed pursuant to this section for emergency services is certified by the board  
38 to be fully operational. Any revenues collected from the tax authorized under section 190.305  
39 shall be credited for the purposes for which they were intended.

40           7. At least once each calendar year, the board shall establish a tax rate, not to exceed the  
41 amount authorized, that together with any surplus revenues carried forward will produce  
42 sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess  
43 of that necessary within a given year shall be carried forward to subsequent years. The board  
44 shall make its determination of such tax rate each year no later than September first and shall fix  
45 the new rate which shall be collected as provided in this act. Immediately upon making its  
46 determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall  
47 notify every retailer by mail of the new rate.

48           8. Immediately upon the affirmative vote of voters of such a county on the ballot  
49 proposal to establish a county sales tax pursuant to the provisions of this section, the county  
50 commission shall appoint the initial members of a board to administer the funds and oversee the  
51 provision of emergency services in the county. Beginning with the general election in 1994, all  
52 board members shall be elected according to this section and other applicable laws of this state.  
53 At the time of the appointment of the initial members of the board, the commission shall  
54 relinquish and no longer exercise the duties prescribed in this chapter with regard to the  
55 provision of emergency services and such duties shall be exercised by the board. 9. The initial  
56 board shall consist of seven members appointed without regard to political affiliation, who shall  
57 be selected from, and who shall represent, the fire protection districts, ambulance districts,  
58 sheriff's department, municipalities, any other emergency services and the general public. This  
59 initial board shall serve until its successor board is duly elected and installed in office. The  
60 commission shall ensure geographic representation of the county by appointing no more than  
61 four members from each district of the county commission.

62           10. Beginning in 1994, three members shall be elected from each district of the county  
63 commission and one member shall be elected at large, such member to be the chairman of the  
64 board. Of those first elected, four members from districts of the county commission shall be  
65 elected for terms of two years and two members from districts of the county commission and the  
66 member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of  
67 office shall be four years.

68           11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary,  
69 in any county of the first classification with more than two hundred forty thousand three hundred  
70 but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone  
71 service 911 board appointed by the county under section 190.309 which is in existence on the  
72 date the voters approve a sales tax under this section shall continue to exist and shall have the  
73 powers set forth under section 190.339.

74           12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the  
75 contrary, in any county of the second classification with more than fifty-four thousand two  
76 hundred but fewer than fifty-four thousand three hundred inhabitants **or any county of the first**

77 **classification with more than fifty thousand but fewer than seventy thousand inhabitants**  
 78 that has approved a sales tax under this section, the county commission shall appoint the  
 79 members of the board to administer the funds and oversee the provision of emergency services  
 80 in the county.

81 (2) The board shall consist of seven members appointed without regard to political  
 82 affiliation. **Except as provided in subdivision (4) of this subsection**, each member shall be one  
 83 of the following:

- 84 (a) The head of any of the county's fire protection districts, or a designee;
- 85 (b) The head of any of the county's ambulance districts, or a designee;
- 86 (c) The county sheriff, or a designee;
- 87 (d) The head of any of the police departments in the county, or a designee; and
- 88 (e) The head of any of the county's emergency management organizations, or a designee.

89 (3) Upon the appointment of the board under this subsection, the board shall have the  
 90 power provided in section 190.339 and shall exercise all powers and duties exercised by the  
 91 county commission under this chapter, and the commission shall relinquish all powers and duties  
 92 relating to the provision of emergency services under this chapter to the board.

93 **(4) In any county of the first classification with more than fifty thousand but fewer**  
 94 **than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this**  
 95 **subsection shall be represented on the board by at least one member.**

[650.325.] **190.411.** There is hereby established within the department of public safety  
 2 the "[Advisory Committee for] 911 Service Oversight **Board**" which is charged with assisting  
 3 and advising the state in ensuring the availability, implementation and enhancement of a  
 4 statewide emergency telephone number common to all jurisdictions through research, planning,  
 5 training and education. The [committee for] 911 service oversight **board** shall represent all  
 6 entities and jurisdictions before appropriate policy-making authorities and the general assembly  
 7 and shall strive toward the immediate access to emergency services for all citizens of this state.

[650.330.] **190.415.** 1. The [committee for] 911 service oversight **board** shall consist  
 2 of [sixteen] **seven** members, one of [which] **whom** shall be [chosen from] **the director of the**  
 3 department of public safety **or the director's designee**, who shall serve as chair of the  
 4 [committee] **board** and only vote in the instance of a tie vote among the other members, and the  
 5 other members shall be selected as follows:

- 6 (1) [One member chosen to represent an association domiciled in this state whose  
 7 primary interest relates to counties;
- 8 (2) One member chosen to represent the Missouri public service commission;
- 9 (3)] One member chosen to represent emergency medical services;
- 10 [(4)] **(2)** One member chosen to represent an association with a chapter domiciled in this  
 11 state whose primary interest relates to a national emergency number;

12            [(5)] (3) One member chosen to represent an association whose primary interest relates  
13 to issues pertaining to fire chiefs;

14            [(6)] (4) One member chosen to represent an association with a chapter domiciled in this  
15 state whose primary interest relates to issues pertaining to public safety communications officers;

16            [(7)] (5) One member chosen to represent an association whose primary interest relates  
17 to issues pertaining to [police chiefs] **law enforcement officials; and**

18            [(8)] One member chosen to represent a league or association domiciled in this state  
19 whose primary interest relates to issues pertaining to municipalities;

20            (9) One member chosen to represent an association domiciled in this state whose primary  
21 interest relates to issues pertaining to sheriffs;

22            (10) One member chosen to represent 911 service providers in counties of the second,  
23 third and fourth classification;

24            (11) One member chosen to represent 911 service providers in counties of the first  
25 classification, with and without charter forms of government, and cities not within a county;

26            [(12)] (6) One member chosen to represent telecommunications service providers with  
27 at least one hundred thousand access lines located within Missouri[;

28            (13) One member chosen to represent telecommunications service providers with less  
29 than one hundred thousand access lines located within Missouri;

30            (14) One member chosen to represent a professional association of physicians who  
31 conduct with emergency care; and

32            (15) One member chosen to represent the general public of Missouri who represents an  
33 association whose primary interest relates to education and training, including that of 911, police  
34 and fire dispatchers].

35            2. Each of the members of the [committee for] 911 service oversight **board** shall be  
36 appointed by the governor with the advice and consent of the senate for a term of four years[;  
37 except that, of those members first appointed, four members shall be appointed to serve for one  
38 year, four members shall be appointed to serve for two years, four members shall be appointed  
39 to serve for three years and four members shall be appointed to serve for four years]. Members  
40 of the [committee] **board** may serve multiple terms.

41            3. The [committee for] 911 service oversight **board** shall meet at least quarterly at a  
42 place and time specified by the chairperson of the [committee] **board** and it shall keep and  
43 maintain records of such meetings, as well as the other activities of the [committee] **board**.  
44 Members shall not be compensated but shall receive actual and necessary expenses for attending  
45 meetings of the [committee] **board**.

46            4. The [committee for] 911 service oversight **board** shall:

47            (1) Organize and adopt standards governing the [committee's] **board's** formal and  
48 informal procedures;

49 (2) Provide recommendations for primary answering points and secondary answering  
50 points on statewide technical and operational standards for 911 services;

51 (3) Provide recommendations to public agencies concerning model systems to be  
52 considered in preparing a 911 service plan;

53 (4) Provide requested mediation services to political subdivisions involved in  
54 jurisdictional disputes regarding the provision of 911 services, except that such [committee]  
55 **board** shall not supersede decision-making authority of local political subdivisions in regard to  
56 911 services;

57 (5) Provide assistance to the governor and the general assembly regarding 911 services;

58 (6) Review existing and proposed legislation and make recommendations as to changes  
59 that would improve such legislation;

60 (7) Aid and assist in the timely collection and dissemination of information relating to  
61 the use of a universal emergency telephone number;

62 (8) Perform other duties as necessary to promote successful development,  
63 implementation and operation of 911 systems across the state; and

64 (9) Advise the department of public safety on establishing rules and regulations  
65 necessary to administer the provisions of sections [650.320 to 650.340] **190.400 to 190.445**.

66 5. The department of public safety shall provide staff assistance to the [committee for]  
67 911 service oversight **board** as necessary in order for the [committee] **board** to perform its  
68 duties pursuant to sections [650.320 to 650.340] **190.400 to 190.445**.

69 6. The department of public safety is authorized to adopt those rules that are reasonable  
70 and necessary to accomplish the limited duties specifically delegated within section [650.340]  
71 **190.445**. Any rule or portion of a rule, as that term is defined in section 536.010, shall become  
72 effective only if it has been promulgated pursuant to the provisions of chapter 536. This section  
73 and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
74 pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule  
75 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule  
76 proposed or adopted after August 28, 1999, shall be invalid and void.

[650.340.] **190.445**. 1. The provisions of this section may be cited and shall be known  
2 as the "911 Training and Standards Act".

3 2. Initial training requirements for telecommunicators who answer 911 calls that come  
4 to public safety answering points shall be as follows:

- 5 (1) Police telecommunicator..... 16 hours;
- 6 (2) Fire telecommunicator..... 16 hours;
- 7 (3) Emergency medical services telecommunicator. .... 16 hours;
- 8 (4) Joint communication center telecommunicator..... 40 hours.

9           3. All persons employed as a telecommunicator in this state shall be required to complete  
10 ongoing training so long as such person engages in the occupation as a telecommunicator. Such  
11 persons shall complete at least twenty-four hours of ongoing training every three years by such  
12 persons or organizations as provided in subsection 6 of this section. The reporting period for the  
13 ongoing training under this subsection shall run concurrent with the existing continuing  
14 education reporting periods for Missouri peace officers pursuant to chapter 590.

15           4. Any person employed as a telecommunicator on August 28, 1999, shall not be  
16 required to complete the training requirement as provided in subsection 2 of this section. Any  
17 person hired as a telecommunicator after August 28, 1999, shall complete the training  
18 requirements as provided in subsection 2 of this section within twelve months of the date such  
19 person is employed as a telecommunicator.

20           5. The training requirements as provided in subsection 2 of this section shall be waived  
21 for any person who furnishes proof to the [committee] **board** that such person has completed  
22 training in another state which are at least as stringent as the training requirements of subsection  
23 2 of this section.

24           6. The department of public safety shall determine by administrative rule the persons or  
25 organizations authorized to conduct the training as required by subsection 2 of this section.

26           7. This section shall not apply to an emergency medical dispatcher or **dispatch** agency  
27 as defined in section 190.100, or a person trained by an entity accredited or certified under  
28 section 190.131, or a person who provides prearrival medical instructions who works for [an]  
29 **a dispatch** agency which meets the requirements set forth in section 190.134.

192.300. **1.** The county commissions and the county health center boards of the several  
2 counties may make and promulgate orders, ordinances, rules or regulations, respectively as will  
3 tend to enhance the public health and prevent the entrance of infectious, contagious,  
4 communicable or dangerous diseases into such county, but any orders, ordinances, rules or  
5 regulations shall not be in conflict with any rules or regulations authorized and made by the  
6 department of health and senior services in accordance with this chapter or by the department  
7 of social services under chapter 198. The county commissions and the county health center  
8 boards of the several counties may establish reasonable fees to pay for any costs incurred in  
9 carrying out such orders, ordinances, rules or regulations, however, the establishment of such  
10 fees shall not deny personal health services to those individuals who are unable to pay such fees  
11 or impede the prevention or control of communicable disease. Fees generated shall be deposited  
12 in the county treasury. All fees generated under the provisions of this section shall be used to  
13 support the public health activities for which they were generated. After the promulgation and  
14 adoption of such orders, ordinances, rules or regulations by such county commission or county  
15 health board, such commission or county health board shall make and enter an order or record  
16 declaring such orders, ordinances, rules or regulations to be printed and available for distribution

17 to the public in the office of the county clerk, and shall require a copy of such order to be  
18 published in some newspaper in the county in three successive weeks, not later than thirty days  
19 after the entry of such order, ordinance, rule or regulation. Any person, firm, corporation or  
20 association which violates any of the orders or ordinances adopted, promulgated and published  
21 by such county commission is guilty of a misdemeanor and shall be prosecuted, tried and fined  
22 as otherwise provided by law. The county commission or county health board of any such  
23 county has full power and authority to initiate the prosecution of any action under this section.

24 **2. Notwithstanding the provisions of subsection 1 of this section to the contrary, no**  
25 **public health order, ordinance, rule, or regulation promulgated by a county health board**  
26 **under this section shall apply to any agricultural operation and its appurtenances. As used**  
27 **in this subsection, the term "agricultural operation and its appurtenances" shall have the**  
28 **same meaning as in section 537.295.**

204.455. 1. Any user charges, connection fees, or other charges levied by the sewer  
2 district shall be due at such time or times as specified by the board of trustees, and shall, if not  
3 paid by the due date, become delinquent and shall bear interest from the date of delinquency until  
4 paid. If such charges become delinquent [they] , **the board of trustees shall notify the**  
5 **landowner that the charges are delinquent and that the landowner has thirty days to**  
6 **correct the delinquency. If the landowner fails to correct the delinquency within the thirty-**  
7 **day period following the notice, the charges shall be a lien upon the land charged, upon the**  
8 board of trustees filing with the recorder of deeds in the county where the land is situated a notice  
9 of delinquency. **At the same time the notice of delinquency is filed with the recorder of**  
10 **deeds, the board of trustees shall notify the landowner that the notice has been filed and**  
11 **that the delinquency is a lien upon the land under this section.** The board of trustees shall  
12 file with the recorder of deeds a similar notice when the delinquent amounts, plus interest and  
13 any recording fees or attorneys' fees, have been paid in full. The lien hereby created may be  
14 enforced by suit or foreclosure.

15 2. For purposes of this section, the term "board of trustees" shall include, but is not  
16 limited to, the board of trustees established in subsection 2 of section 204.300.

205.042. 1. The trustees, within ten days after their appointment or election, shall  
2 qualify by taking the oath of civil officers and organize as a board of health center trustees by the  
3 election of one of their number as chairman, one as secretary, one as treasurer, and by the  
4 election of such other officers as they may deem necessary, but no bond shall be required of  
5 them.

6 2. No trustee shall receive any compensation for his services performed, but he may  
7 receive reimbursement for any cash expenditures actually made for personal expenses incurred  
8 as such trustee, and an itemized statement of all such expenses and money paid out shall be made

9 under oath by each of such trustees and filed with the secretary and allowed only by the  
10 affirmative vote of all of the trustees present at a meeting of the board.

11 3. The board of health center trustees shall make and adopt such bylaws, rules and  
12 regulations for its own guidance and for the government of the county health center as may be  
13 deemed expedient for the economic and equitable conduct thereof. It shall have the exclusive  
14 control of the expenditures of all moneys collected to the credit of the county health center fund,  
15 and of the purchase of site or sites, the purchase or construction of any county health center  
16 buildings, and of the supervision, care and custody of the grounds, rooms or buildings purchased,  
17 constructed, leased or set apart for that purpose. All moneys received for the county health  
18 center shall be credited to the county health center and deposited in the depository thereof for the  
19 sole use of such county health center in accordance with the provisions of sections 205.010 to  
20 205.150. All funds received by each county health center shall be paid out [only] **through an**  
21 **electronic funds transfer system in an amount within that approved by the board of health**  
22 **center trustees or** upon warrants ordered drawn by the treasurer of the board of trustees upon  
23 properly authenticated vouchers of the board of health center trustees.

24 4. The board of health center trustees may appoint and remove such personnel as may  
25 be necessary and fix their compensation; and shall in general carry out the spirit and intent of  
26 sections 205.010 to 205.150 pertaining to establishing and maintaining a county health center.

27 5. The board of health center trustees shall hold meetings at least once each month, and  
28 shall keep a complete record of all of its proceedings. Three members of the board shall  
29 constitute a quorum for the transaction of business.

30 6. One of the trustees shall visit and examine the county health center at least twice each  
31 month.

32 7. When the county health center is established, all personnel and all persons  
33 approaching or coming within the limits of same, and all furniture and other articles used or  
34 brought there shall be subject to such rules and regulations as the board may prescribe.

35 8. The board of health center trustees shall determine annually the rate of the tax levy,  
36 except that the rate so determined shall not exceed the maximum rate authorized by the vote of  
37 the people of the county.

38 9. The board of health center trustees may enter into contracts and agreements with  
39 federal, state, county, school and municipal governments and with private individuals,  
40 partnerships, firms, associations and corporations for the furtherance of health activities, except  
41 as hereafter prohibited.

301.260. 1. The director of revenue shall issue certificates for all cars owned by the state  
2 of Missouri and shall assign to each of such cars two plates bearing the words: "State of  
3 Missouri, official car number ....." (with the number inserted thereon), which plates

4 shall be displayed on such cars when they are being used on the highways. No officer or  
5 employee or other person shall use such a motor vehicle for other than official use.

6         2. Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any  
7 municipality of this state, shall be exempt from all of the provisions of sections 301.010 to  
8 301.440 while being operated within the limits of such municipality, but the municipality may  
9 regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles  
10 owned by municipalities, counties and other political subdivisions of the state shall be exempt  
11 from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and  
12 display of number plates; provided, however, that there shall be [displayed] **a plate or**, on each  
13 side of such motor vehicle, [in] letters not less than three inches in height with a stroke of not  
14 less than three-eighths of an inch wide, **to display** the name of such municipality, county or  
15 political subdivision, the department thereof, and a distinguishing number. Provided, further,  
16 that when any motor vehicle is owned and operated exclusively by any school district and used  
17 solely for transportation of school children, the commissioner shall assign to each of such motor  
18 vehicles two plates bearing the words "School Bus, State of Missouri, car no. ...." (with  
19 the number inserted thereon), which plates shall be displayed on such motor vehicles when they  
20 are being used on the highways. No officer, or employee of the municipality, county or  
21 subdivision, or any other person shall operate such a motor vehicle unless the same is marked  
22 as herein provided, and no officer, employee or other person shall use such a motor vehicle for  
23 other than official purposes.

24         3. For registration purposes only, a public school or college shall be considered the  
25 temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to  
26 be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to  
27 the director of revenue a copy of a lease agreement with an option to purchase clause between  
28 the authorized new motor vehicle franchised dealer and the school or college and a photocopy  
29 of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application  
30 for and be granted a nonnegotiable certificate of ownership and be issued the appropriate license  
31 plates. Registration plates are not necessary on a driver training vehicle when the motor vehicle  
32 is plainly marked as a driver training vehicle while being used for such purpose and such vehicle  
33 can also be used in conjunction with the activities of the educational institution.

34         4. As used in this section, the term "political subdivision" is intended to include any  
35 township, road district, sewer district, school district, municipality, town or village, sheltered  
36 workshop, as defined in section 178.900, and any interstate compact agency which operates a  
37 public mass transportation system.

302.341. 1. If a Missouri resident charged with a moving [traffic] violation, **as defined**  
2 **in section 302.010**, of this state or any county or municipality of this state fails to dispose of the  
3 charges of which the resident is accused through authorized prepayment of fine and court costs

4 and fails to appear on the return date or at any subsequent date to which the case has been  
5 continued, or without good cause fails to pay any fine or court costs assessed against the resident  
6 for any such violation within the period of time specified or in such installments as approved by  
7 the court or as otherwise provided by law, any court having jurisdiction over the charges shall  
8 within ten days of the failure to comply inform the defendant by ordinary mail at the last address  
9 shown on the court records that the court will order the director of revenue to suspend the  
10 defendant's driving privileges if the charges are not disposed of and fully paid within thirty days  
11 from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges  
12 and fully pay any applicable fines and court costs, the court shall notify the director of revenue  
13 of such failure and of the pending charges against the defendant. Upon receipt of this  
14 notification, the director shall suspend the license of the driver, effective immediately, and  
15 provide notice of the suspension to the driver at the last address for the driver shown on the  
16 records of the department of revenue. Such suspension shall remain in effect until the court with  
17 the subject pending charge requests setting aside the noncompliance suspension pending final  
18 disposition, or satisfactory evidence of disposition of pending charges and payment of fine and  
19 court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition  
20 of charges and payment of fine and court costs, if applicable, and payment of the reinstatement  
21 fee as set forth in section 302.304, the director shall return the license and remove the suspension  
22 from the individual's driving record. The filing of financial responsibility with the bureau of  
23 safety responsibility, department of revenue, shall not be required as a condition of reinstatement  
24 of a driver's license suspended solely under the provisions of this section.

25       2. If any city, town or village **meets the criteria established in subsection 6 of this**  
26 **section and** receives more than thirty-five percent of its annual general operating revenue from  
27 fines and court costs for [traffic] **cited moving** violations occurring on state highways, **whether**  
28 **the violation is adjudicated finally as a moving or nonmoving violation**, all revenues from  
29 such violations in excess of thirty-five percent of the annual general operating revenue of the  
30 city, town or village shall be sent to the director of the department of revenue and shall be  
31 distributed annually to the schools of the county in the same manner that proceeds of all  
32 penalties, forfeitures and fines collected for any breach of the penal laws of the state are  
33 distributed. For the purpose of this section the words "state highways" shall mean any state or  
34 federal highway, including any such highway continuing through the boundaries of a city, town  
35 or village with a designated street name other than the state highway number. [The director of  
36 the department of revenue shall set forth by rule a procedure whereby excess revenues as set  
37 forth above shall be sent to the department of revenue.]

38       3. **The governing body of each city, town, or village that meets the criteria**  
39 **established in subsection 6 of this section shall cause to be prepared an annual report of**  
40 **the fines and court costs collected for cited moving violations whether finally adjudicated**

41 **as a moving or nonmoving violation occurring on state highways, along with the entity's**  
42 **annual general revenue for the year, in such summary form as the department of revenue**  
43 **shall prescribe by rule. In the event the fines and court costs exceed thirty-five percent of**  
44 **the entity's general operating revenue for the year, the entity shall include with the annual**  
45 **report payment of the excess revenues to the director of the department of revenue. The**  
46 **payment of excess revenues shall be disbursed as provided in subsection 2 of this section.**  
47 If any city, town, or village disputes a determination that it has received excess revenues required  
48 to be sent to the department of revenue, such city, town, or village may submit to an annual audit  
49 by the state auditor under the authority of article IV, section 13 of the Missouri Constitution.  
50 [Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the  
51 authority delegated in this section shall become effective only if it complies with and is subject  
52 to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
53 chapter 536 are nonseverable and if any of the powers vested with the general assembly under  
54 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are  
55 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed  
56 or adopted after August 28, 2009, shall be invalid and void.]

57 **4. The department of revenue may promulgate rules necessary to implement the**  
58 **provisions of this section. Any rule or portion of a rule, as that term is defined in section**  
59 **536.010, that is created under the authority delegated in this section shall become effective**  
60 **only if it complies with and is subject to all of the provisions of chapter 536 and, if**  
61 **applicable, section 536.028. This section and chapter 536 are nonseverable and if any of**  
62 **the powers vested with the general assembly pursuant to chapter 536 to review, to delay**  
63 **the effective date, or to disapprove and annul a rule are subsequently held**  
64 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**  
65 **after August 28, 2012, shall be invalid and void.**

66 **5. In the event a city, town, or village that meets the criteria established in**  
67 **subsection 6 of this section fails to comply with subsections 2 and 3 of this section, such**  
68 **entity shall be subject to a civil penalty in an amount up to one thousand dollars. The**  
69 **department of revenue shall determine the amount of the penalty by taking into account**  
70 **the size of the entity, the seriousness of the offense, and whether the city, town, or village**  
71 **has violated the provisions of subsections 2 and 3 of this section previously. The director**  
72 **of revenue or his or her designated representative shall administer and enforce the**  
73 **provisions of this section and may develop, prescribe, and issue any forms, notices, or other**  
74 **written documents to enforce such authority and to ensure that every city, town, or village**  
75 **is in compliance with the provisions of subsections 2 and 3 of this section.**

76 **6. The provisions of subsections 2, 3, 4, and 5 of this section shall apply only to any**  
77 **city, town, or village with:**

78           **(1) Less than two million dollars in general revenue, excluding fines and court costs**  
79 **collected for cited moving violations whether finally adjudicated as a moving or nonmoving**  
80 **violation; and**

81           **(2) Fines and court costs from cited moving violations, whether finally adjudicated**  
82 **as a moving or nonmoving violation, in excess of seventy thousand dollars.**

304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations  
2 for motor vehicles within the limits of such municipalities. No person who is not a resident of  
3 such municipality and who has not been within the limits thereof for a continuous period of more  
4 than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown  
5 by competent evidence that there was posted at the place where the boundary of such  
6 municipality joins or crosses any highway a sign displaying in black letters not less than four  
7 inches high and one inch wide on a white background the speed fixed by such municipality so  
8 that such sign may be clearly seen by operators and drivers from their vehicles upon entering  
9 such municipality.

10           2. Municipalities, by ordinance, may:

11           (1) Make additional rules of the road or traffic regulations to meet their needs and traffic  
12 conditions;

13           (2) Establish one-way streets and provide for the regulation of vehicles thereon;

14           (3) Require vehicles to stop before crossing certain designated streets and boulevards;

15           (4) Limit the use of certain designated streets and boulevards to passenger vehicles,  
16 **except that each municipality shall allow at least one street, with lawful traffic movement**  
17 **and access from both directions, to be available for use by commercial vehicles to access**  
18 **any roads in the state highway system. Under no circumstances shall the provisions of this**  
19 **subdivision be construed to authorize municipalities to limit the use of all streets in the**  
20 **municipality;**

21           (5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid  
22 rubber tires;

23           (6) Regulate the parking of vehicles on streets by the installation of parking meters for  
24 limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory  
25 method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

26           (7) Require the use of signaling devices on all motor vehicles; and

27           (8) Prohibit sound producing warning devices, except horns directed forward.

28           3. No ordinance shall be valid which contains provisions contrary to or in conflict with  
29 this chapter, except as herein provided.

30           4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the  
31 vehicle is being permissively used by a lessee and is illegally parked or operated if the registered  
32 owner-lessor of such vehicle furnishes the name, address and operator's license number of the

33 person renting or leasing the vehicle at the time the violation occurred to the proper municipal  
34 authority within three working days from the time of receipt of written request for such  
35 information. Any registered owner-lessor who fails or refuses to provide such information  
36 within the period required by this subsection shall be liable for the imposition of any fine  
37 established by municipal ordinance for the violation. Provided, however, if a leased motor  
38 vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused  
39 by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal  
40 parking of such vehicle.

41 **5. No ordinance shall deny the use of commercial vehicles on all streets within the**  
42 **municipality.**

**311.205. 1. Any person licensed to sell liquor at retail by the drink for consumption**  
2 **on the premises where sold may use a table tap dispensing system to allow patrons of the**  
3 **licensee to dispense beer at a table. Before a patron may dispense beer, an employee of the**  
4 **licensee must first authorize an amount of beer, not to exceed thirty-two ounces per patron**  
5 **per authorization, to be dispensed by the table tap dispensing system.**

6 **2. No provision of law or rule or regulation of the supervisor shall be interpreted**  
7 **to allow any wholesaler, distributor, or manufacturer of intoxicating liquor to furnish table**  
8 **tap dispensing or cooling equipment or provide services for the maintenance, sanitation,**  
9 **or repair of table tap dispensing systems.**

313.321. 1. The money received by the Missouri state lottery commission from the sale  
2 of Missouri lottery tickets and from all other sources shall be deposited in the "State Lottery  
3 Fund", which is hereby created in the state treasury. At least forty-five percent, in the aggregate,  
4 of the money received from the sale of Missouri lottery tickets shall be appropriated to the  
5 Missouri state lottery commission and shall be used to fund prizes to lottery players. Amounts  
6 in the state lottery fund may be appropriated to the Missouri state lottery commission for  
7 administration, advertising, promotion, and retailer compensation. The general assembly shall  
8 appropriate remaining moneys not previously allocated from the state lottery fund by transferring  
9 such moneys to the general revenue fund. The lottery commission shall make monthly transfers  
10 of moneys not previously allocated from the state lottery fund to the general revenue fund as  
11 provided by appropriation.

12 2. The commission may also purchase and hold title to any securities issued by the  
13 United States government or its agencies and instrumentalities thereof that mature within the  
14 term of the prize for funding multi-year payout prizes.

15 3. The "Missouri State Lottery Imprest Prize Fund" is hereby created. This fund is to be  
16 established by the state treasurer and funded by warrants drawn by the office of administration  
17 from the state lottery fund in amounts specified by the commission. The commission may write  
18 checks and disburse moneys from this fund for the payment of lottery prizes only and for no

19 other purpose. All expenditures shall be made in accordance with rules and regulations  
20 established by the office of administration. Prize payments may also be made from the state  
21 lottery fund. Prize payouts made pursuant to this section shall be subject to the provisions of  
22 section 143.781; and prize payouts made pursuant to this section shall be subject to set off for  
23 delinquent child support payments as assessed by a court of competent jurisdiction or pursuant  
24 to section 454.410. Prize payouts made under this section shall be subject to set off for unpaid  
25 health care services provided by [hospitals and health care] **ambulance service** providers under  
26 the procedure established in section 143.790.

27 4. Funds of the state lottery commission not currently needed for prize money,  
28 administration costs, commissions and promotion costs shall be invested by the state treasurer  
29 in interest-bearing investments in accordance with the investment powers of the state treasurer  
30 contained in chapter 30. All interest earned by funds in the state lottery fund shall accrue to the  
31 credit of that fund.

32 5. No state or local sales tax shall be imposed upon the sale of lottery tickets or shares  
33 of the state lottery or on any prize awarded by the state lottery. No state income tax or local  
34 earnings tax shall be imposed upon any lottery game prizes which accumulate to an amount of  
35 less than six hundred dollars during a prize winner's tax year. The state of Missouri shall  
36 withhold for state income tax purposes from a lottery game prize or periodic payment of six  
37 hundred dollars or more an amount equal to four percent of the prize.

38 6. The director of revenue is authorized to enter into agreements with the lottery  
39 commission, in conjunction with the various state agencies pursuant to sections 143.782 to  
40 143.788, in an effort to satisfy outstanding debts to the state from the lottery winning of any  
41 person entitled to receive lottery payments which are subject to federal withholding. The director  
42 of revenue is also authorized to enter into agreements with the lottery commission in conjunction  
43 with the department of health and senior services pursuant to section 143.790 in an effort to  
44 satisfy outstanding debts owed to [hospitals and health care] **ambulance service** providers for  
45 unpaid health care services of any person entitled to receive lottery payments which are subject  
46 to federal withholding.

47 7. In addition to the restrictions provided in section 313.260, no person, firm, or  
48 corporation whose primary source of income is derived from the sale or rental of sexually  
49 oriented publications or sexually oriented materials or property shall be licensed as a lottery  
50 game retailer and any lottery game retailer license held by any such person, firm, or corporation  
51 shall be revoked.

321.690. 1. In counties of the first classification having a charter form of government  
2 and having more than nine hundred thousand inhabitants [and in counties of the first  
3 classification which contain a city with a population of one hundred thousand or more  
4 inhabitants which adjoins no other county of the first classification], the governing body of each

5 fire protection district shall cause an audit to be performed consistent with rules and regulations  
6 promulgated by the state auditor.

7 2. (1) All such districts shall cause an audit to be performed biennially. Each such audit  
8 shall cover the period of the two previous fiscal years.

9 (2) Any fire protection district with less than fifty thousand dollars in annual revenues  
10 may, with the approval of the state auditor, be exempted from the audit requirement of this  
11 section if it files appropriate reports on its affairs with the state auditor within five months after  
12 the close of each fiscal year and if these reports comply with the provisions of section 105.145.  
13 These reports shall be reviewed, approved and signed by a majority of the members of the  
14 governing body of the fire protection district seeking exemption.

15 3. Copies of each audit report must be completed and submitted to the fire protection  
16 district and the state auditor within six months after the close of the audit period. One copy of  
17 the audit report and accompanying comments shall be maintained by the governing body of the  
18 fire protection district for public inspection at reasonable times in the principal office of the  
19 district. The state auditor shall also maintain a copy of the audit report and comment. If any  
20 audit report fails to comply with the rules promulgated by the state auditor, that official shall  
21 notify the fire protection district and specify the defects. If the defects specified are not corrected  
22 within ninety days from the date of the state auditor's notice to the district, or if a copy of the  
23 required audit report and accompanying comments have not been received by the state auditor  
24 within six months after the end of the audit period, the state auditor shall make, or cause to be  
25 made, the required audit at the expense of the fire protection district.

26 4. The provisions of this section shall not apply to any fire protection district based and  
27 substantially located in a county of the third classification with a population of at least thirty-one  
28 thousand five hundred but not greater than thirty-three thousand.

339.501. 1. Beginning July 1, 1999, it shall be unlawful for any person in this state to  
2 act as a real estate appraiser, or to directly or indirectly, engage or assume to engage in the  
3 business of real estate appraisal or to advertise or hold himself or herself out as engaging in or  
4 conducting such business without first obtaining a license or certificate issued by the Missouri  
5 real estate appraisers commission as provided in sections 339.500 to 339.549.

6 2. No license or certificate shall be issued pursuant to sections 339.500 to 339.549 to a  
7 partnership, association, corporation, firm or group; except that, nothing in this section shall  
8 preclude a state-licensed or state-certified real estate appraiser from rendering appraisals for, or  
9 on behalf of, a partnership, association, corporation, firm or group, provided the appraisal report  
10 is prepared by, or under the immediate personal direction of the state-licensed or state-certified  
11 real estate appraiser and is reviewed and signed by such state-licensed or state-certified appraiser.

12 3. Any person who is not state licensed or state certified pursuant to sections 339.500  
13 to 339.549 may assist a state-licensed or state-certified real estate appraiser in the performance

14 of an appraisal; provided that, such person is personally supervised by a state-licensed or  
 15 state-certified appraiser and provided further that any appraisal report rendered in connection  
 16 with the appraisal is reviewed and signed by the state-licensed or state-certified real estate  
 17 appraiser.

18 4. Nothing in sections 339.500 to 339.549 shall abridge, infringe upon or otherwise  
 19 restrict the right to use the term "certified ad valorem tax appraiser" or any similar term by  
 20 persons performing ad valorem tax appraisals.

21 5. The provisions of sections 339.500 to 339.549 shall not be construed to require a  
 22 license or certificate for:

23 (1) Any person, partnership, association or corporation who, as owner, performs  
 24 appraisals of property owned by such person, partnership, association or corporation;

25 (2) Any licensed real estate broker or salesperson who prepares a comparative market  
 26 analysis or a broker price opinion;

27 (3) Any employee of a local, state or federal agency who performs appraisal services  
 28 within the scope of his or her employment; except that, this exemption shall not apply where any  
 29 local, state or federal agency requires an employee to be registered, licensed or certified to  
 30 perform appraisal services;

31 (4) Any employee of a federal or state-regulated lending agency or institution;

32 (5) Any agent of a federal or state-regulated lending agency or institution in a county of  
 33 third or fourth classification;

34 (6) **Any person employed by the property owner or agent of the property owner to**  
 35 **represent that property owner in any proceeding appealing the assessment of the owner's**  
 36 **property as authorized in chapter 138.**

**442.404. 1. Except as otherwise provided by this section, a property owners'**  
 2 **association shall not enforce or adopt a restrictive covenant that prohibits a property**  
 3 **owner from displaying on the owner's property one or more signs advertising a political**  
 4 **candidate or ballot item for an election:**

5 (1) **On or after the ninetieth day before the date of the election to which the sign**  
 6 **relates; or**

7 (2) **Before the tenth day after that election date.**

8 **2. This section does not prohibit the enforcement or adoption of a covenant that:**

9 (1) **Requires a sign to be ground-mounted; or**

10 (2) **Limits a property owner to displaying only one sign for each candidate or ballot**  
 11 **item.**

12 **3. This section does not prohibit the enforcement or adoption of a covenant that**  
 13 **prohibits a sign that:**

14           **(1) Contains roofing material, siding, paving materials, flora, one or more balloons**  
15 **or lights, or any other similar building, landscaping, or nonstandard decorative**  
16 **component;**

17           **(2) Is attached in any way to plant material, a traffic control device, a light, a**  
18 **trailer, a vehicle, or any other existing structure or object;**

19           **(3) Includes the painting of architectural surfaces;**

20           **(4) Threatens the public health or safety;**

21           **(5) Is larger than four feet by six feet;**

22           **(6) Violates a law;**

23           **(7) Contains language, graphics, or any display that would be offensive to the**  
24 **ordinary person; or**

25           **(8) Is accompanied by music or other sounds or by streamers or is otherwise**  
26 **distracting to motorists.**

27           **4. A property owners' association may remove a sign displayed in violation of a**  
28 **restrictive covenant permitted by this section.**

**Section 1. 1. The governor is hereby authorized and empowered to vacate the**  
2 **existing one acre easement made on May 25, 1971, between the state and the City of**  
3 **Sedalia, Missouri, located at 2600 West 16th Street, and is hereby authorized and**  
4 **empowered to grant to the City of Sedalia, Missouri, an easement to construct, reconstruct,**  
5 **alter, replace, maintain, and operate a fire station and an entrance thereto on and over**  
6 **certain state-owned property more particularly described as follows:**

7           **COMMENCING AT THE SOUTHEAST CORNER OF THE**  
8 **SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 45 NORTH,**  
9 **RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PETTIS**  
10 **COUNTY, MISSOURI; THENCE N 86°29'52"W ALONG THE SOUTH**  
11 **LINE OF SAID SOUTHWEST QUARTER, 939 FEET TO THE POINT OF**  
12 **BEGINNING OF THE PARCEL CONVEYED TO THE STATE OF**  
13 **MISSOURI IN VOLUME 289 AT PAGE 242 IN THE PETTIS COUNTY**  
14 **RECORDERS OFFICE, AND AS SHOWN ON A SURVEY IN PLAT**  
15 **CABINET B AT PAGE 775 TO THE POINT OF BEGINNING; THENCE**  
16 **CONTINUING N 86°29'52"W ALONG SAID SOUTH LINE, 323 FEET**  
17 **TO THE EASTERLY RIGHT OF WAY OF THE MISSOURI PACIFIC**  
18 **RAILROAD COMPANY DESCRIBED IN VOLUME 140 AT PAGE 298,**  
19 **AND AS SHOWN ON SAID SURVEY IN PLAT CABINET B AT PAGE**  
20 **775; THENCE N 2°24'46"E ALONG SAID RIGHT OF WAY, 387.32**  
21 **FEET; THENCE S 87°36'42"E, 323 FEET TO THE EAST LINE OF SAID**  
22 **PROPERTY DESCRIBED IN VOLUME 289 AT PAGE 242; THENCE S**  
23 **2°24'41"W ALONG SAID EAST LINE, 393.60 FEET TO THE POINT OF**  
24 **BEGINNING, CONTAINING 2.9 ACRES, MORE OR LESS, RESERVING**  
25 **TO THE STATE OF MISSOURI INGRESS AND EGRESS TO THE**

26 **NORTH 2.1 ACRES MORE OR LESS OF THE PARCEL DESCRIBED IN**  
27 **VOLUME 289 AT PAGE 242.**

28  
29 **EXCEPTING THEREFROM THE RIGHT OF WAY FOR HIGHWAY Y**  
30 **AS SHOWN ON SAID SURVEY IN PLAT CABINET B AT PAGE 775,**  
31 **AND THE MISSOURI DEPARTMENT OF TRANSPORTATIONS PLANS**  
32 **FOR STATE HIGHWAY Y.**

33 **2. The commissioner of administration shall set the terms and conditions for the**  
34 **conveyance as the commissioner deems reasonable. Such terms and conditions may**  
35 **include, but are not limited to, the number of appraisals required, the time, place, and**  
36 **terms of the conveyance.**

37 **3. The attorney general shall approve the form of the instrument of conveyance.**

**Section 2. 1. The governor is hereby authorized and empowered to sell, transfer,**  
2 **grant, convey, remise, release, and forever quitclaim all interest in fee simple absolute in**  
3 **property owned by the state in the City of Frankford, Pike County, to the state highways**  
4 **and transportation commission. The property to be conveyed is more particularly**  
5 **described as follows:**

6 **Tract 1**

7  
8 **All of an irregular strip of ground lying adjacent to the West Right of Way**  
9 **line of a State Highway known as Route #9 Section 257-D Pike County,**  
10 **Missouri. Said strip of land being located in a part of the NE¼ Section 2 (T.**  
11 **54 N.R. 4 W.) Pike County, Missouri and is more fully described as follows:**  
12

13 **Beginning at a point measured South along the West line of the NE¼ NE¼**  
14 **said Section 2 a distance of 684 feet from the Northwest corner of said NE¼**  
15 **NE¼ Section 2, said point lying westerly and opposite Station 868+50 on the**  
16 **Centerline of said Route #9 Section 257-D and which point is 120 feet**  
17 **measured South from the center of a public road known as the Frankford**  
18 **to Louisiana public road. Thence run South along the middle line of said**  
19 **NE¼ Section 2 a distance of 1124 feet to the South line of the property of**  
20 **said J.O. Smith which point is approximately 832 feet measured in a North**  
21 **direction along the middle line of the said NE¼ Section 2 from the SW**  
22 **corner of the SE¼ NE¼ said Section 2. Thence run East on a line parallel**  
23 **to the North line of said Section 2 to intersect the West Right of Way Line**  
24 **of said State Highway known as Route #9 Section 257-D Pike County,**  
25 **Missouri. Thence run in a Northerly and Westerly direction with the West**  
26 **Right of Way line of said State Highway known as Route #9 Section 257-D**  
27 **Pike County, Missouri, as located by the Engineers of the State Highway**  
28 **Department of Missouri a distance of 1287 feet to the point of beginning.**  
29

30 **Herein above described tract of land contains 7.1 acres more or less.**

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**Tract 2**

**A certain strip of Right of Way for a State Highway which lies on the right and left sides and adjacent to the centerline of a certain set of road plans known as Route 9 Pike County, Missouri and which land is located in a part of NE $\frac{1}{4}$  Section 2 (T. 54 N. R. 4 W.) and is more particularly described as follows:**

**Beginning at a point approximately 690 feet south of the NW corner of NE $\frac{1}{4}$  NE $\frac{1}{4}$  said section 2. Thence South 29 deg. 24 Min. E. a distance of 465.5 feet. Thence on the arc of a curve to the right in a southeasterly direction whose radius is 915.4 feet a distance of 664.4 feet. Thence south 10 deg. 28 Min. West 60 feet, thence on the arc of a curve to the left in a southerly direction whose radius is 1313.6 feet a distance of 80 feet to intersect the property line between O. Smith and R. G. Haden. Thence east on said property line 85 feet, thence on the arc of a curve to the right in a northerly direction whose radius is 1233.6 feet a distance of 68 feet. Thence north 10 deg. 28 Min. east 57.9 feet. Thence on the arc of a curve to the left whose radius is 995.4 feet a distance of 664.4 feet. Thence north 29 deg. 24 Min. West 470.5 feet. Thence on the arc of a curve to the right in a northeasterly direction whose radius is 35 feet, a distance of 65 feet to a point on the south line of the Frankford and Louisiana Public road, thence north to the center of said public road, thence west with center of said public road to intersect the west line of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  said section 2. Thence south on said  $\frac{1}{4}$   $\frac{1}{4}$  section line, 123 feet to the point of beginning.**

**Herein above described tract of land contains 2.4 acres more or less new Right of Way to be acquired.**

**Tract 3**

**A certain strip of Right of Way for a State Highway which lies on the right and left sides and adjacent to the centerline of a certain set of road plans known as Route 9, Jones Station Bowling Green, Pike County, Missouri and which land is located in part of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 2 (T. 54 N. R. 4 W.) Pike County, Missouri, and which land is more particularly described as follows:**

**Beginning at a point, which point is approximately 610 feet south of the NW corner of NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 2 (T. 54 N. R. 4 W.) thence south on the  $\frac{1}{4}$   $\frac{1}{4}$  Section line which line is the west boundary line of NE $\frac{1}{4}$  NE $\frac{1}{4}$  said section 2 a distance of 85 feet, thence north 29 deg. 24 Min. west a distance of 53 feet thence on the centerline of a curve to the left in a northwesterly direction whose radius is 105 feet, a distance of 117 feet to a point on the east line of**



30        **said Block Four (4), thence west along the north line of said lot Seventeen**  
 31        **(17) for a distance of 25 feet to the northwest corner of said lot Seventeen**  
 32        **(17), thence south along the west line of said lot Seventeen (17) for a distance**  
 33        **of 147.5 feet to the point of beginning, and containing in all 2.39 acres more**  
 34        **or less.**

35

**Tract 2**

37

38        **Lying in Lot Six (6) of Block One (1), of the Kenwood Addition to the City**  
 39        **of Macon, Missouri and described as follows:**

40

41        **Beginning at a point 22.5 feet North of and 30 feet East of the Northeast**  
 42        **Corner of said Block One (1), thence West along the Center Line of McKay**  
 43        **Street for a distance of 137 feet to a point on the East right-of-way line of**  
 44        **U.S. Route 63, thence in a Southeasterly direction along the said**  
 45        **right-of-way line for a distance of 153 feet to the South Line of said Lot Six**  
 46        **(6), thence East along said South Line of said Lot Six (6) for a distance of 22**  
 47        **feet to a point on the Center Line of Madison Street, thence North along the**  
 48        **Center Line of said Madison Street for a distance of 87.2 feet to the point of**  
 49        **beginning, and containing 0.13 acre more or less.**

50

**Tract 3**

52

53        **All of that part of Lots 1 and 2 lying East of Federal Highway #63 and all of**  
 54        **Lots 9 and 10, all in Block 2 of Kenwood Addition to the town of Macon,**  
 55        **Missouri and more specifically described as follows:**

56

57        **Beginning at a point 22-1/2 feet South of and 30 feet East of the Southeast**  
 58        **Corner of said Block 2 of Kenwood Addition to the town of Macon,**  
 59        **Missouri, thence North for a distance of 140.5 feet to a point, thence West**  
 60        **for a distance of 227.5 feet to a point on the East right-of-way line of Federal**  
 61        **Highway #63, thence in a Southeasterly direction along the said East**  
 62        **right-of-way line of said Federal Highway #63 for a distance of 172 feet to**  
 63        **a point, thence East for a distance of 131.8 feet to the point of beginning and**  
 64        **containing 0.6 acre more or less.**

65

66        **2. The commissioner of administration shall set the terms and conditions for the**  
 67        **conveyance as the commissioner deems reasonable. Such terms and conditions may**  
 68        **include, but are not limited to, the number of appraisals required, the time, place, and**  
 69        **terms of the conveyance.**

70

**3. The attorney general shall approve the form of the instrument of conveyance.**

**Section 4. 1. The governor is hereby authorized and empowered to sell, transfer,**  
 2        **grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in**

3 real property located in the City of Maysville, DeKalb County, to the state highways and  
4 transportation commission. The property to be conveyed is more particularly described  
5 as follows:

6  
7 **Beginning at a point of intersection of the north right of way line of State**  
8 **Highway Route 6 and Grantor's east property line, said point being one**  
9 **thousand seventy-six and forty-six hundredths (1076.46) feet east of and one**  
10 **thousand one hundred sixty-four and thirty-six hundredths (1164.36) feet**  
11 **south of the northwest corner of Section 35, Township 59, north, Range 31**  
12 **west, from said point of beginning, thence north two hundred twelve and**  
13 **sixty-five hundredths (212.65) feet, thence west one hundred eighty (180)**  
14 **feet, thence south two hundred sixty-nine and eighty-nine hundredths**  
15 **(269.89) feet to said north right of way line of State Highway Route 6, thence**  
16 **easterly along said right of way line to the point of beginning, and containing**  
17 **one (1.0) acre.**

18  
19 **2. The commissioner of administration shall set the terms and conditions for the**  
20 **conveyance as the commissioner deems reasonable. Such terms and conditions may**  
21 **include, but are not limited to, the number of appraisals required, the time, place, and**  
22 **terms of the conveyance.**

23 **3. The attorney general shall approve the form of the instrument of conveyance.**

**Section 5. 1. The governor is hereby authorized and empowered to sell, transfer,**  
2 **grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in**  
3 **real property located in the City of Blue Springs, Jackson County, to the state highways**  
4 **and transportation commission. The property to be conveyed is more particularly**  
5 **described as follows:**

6 **Tract 1**

7  
8 **Two strips of land herein designated A and B, said strips are to be used as**  
9 **right-of-way for the construction of an additional traffic lane for east bound**  
10 **travel on a highway designated Route US 40, as located and established by**  
11 **the State Highway Commission of Missouri, and are more fully described as**  
12 **follows:**

13  
14 **Strip A, is a strip of land 65 feet in width and 1360 feet in length the**  
15 **northerly boundary line of which is the center line of said proposed traffic**  
16 **lane and included between Stations 736+22 and 749+82 of a survey of said**  
17 **center line.**

18  
19 **Station 736+22 on said center line is located as follows: Beginning at the SW**  
20 **Corner of the N½ of the NE¼ of Sec. 1, T48N, R31W; thence North 0**  
21 **degrees 33 minutes west a distance of 903 feet to a point; thence North 89**

22 degrees 59 minutes east a distance of 123.8 feet to the P.C. of a 1 degree  
23 curve to the left, said curve having an interior angle of 13 degrees 30  
24 minutes; thence northeasterly along said curve a distance of 1215.2 feet to  
25 said Station 736+22 and from said Station the center line of said traffic lane  
26 continues northeasterly along said curve a distance of 134.8 feet to the P.T.  
27 of said curve; thence North 76 degrees 29 minutes east a distance of 572.1  
28 feet to the P.C. of a 1 degree curve to the right; said curve having an interior  
29 angle of 12 degrees 40 minutes; thence northeasterly along said curve a  
30 distance of 653.1 feet to Station 749+82.

31

32 Strip B, is enclosed by the following described boundary lines: Beginning  
33 at Station 749+82 on the center line of said traffic lane; thence North along  
34 the east line of the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 1, T48N, R31W; a distance of 56  
35 feet to the south line of the right-of-way as heretofore secured for the  
36 original Route US 40; thence west along said right-of-way line a distance of  
37 1333 feet, more or less, to a point on the west line of the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of  
38 said Sec. 1; thence south along said line a distance of 315 feet, more or less,  
39 to Station 736+22 on the center line of said traffic lane; thence northeasterly  
40 along said center line as above described, the distance of 1360 feet to the  
41 point of beginning at Station 749+88.

42

43 The above described strips of land contain 7.42 acres lying, situate and being  
44 in the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 1, T48N, R31W.

45

46 All as shown on approved plans now on file in the office of the County Clerk  
47 of Jackson County, Missouri.

48

49

#### Tract 2

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51 A tract or parcel of land to be used as right-of-way for the construction of  
52 an additional traffic lane for east bound travel on a highway designated  
53 Route US 40, as located and established by the State Highway Commission  
54 of Missouri; said strip is located and described as follows: Beginning at the  
55 SW Corner of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 1, T48N, R31W; thence North  
56 0 degrees 33 minutes west a distance of 903 feet to a point; thence North 89  
57 degrees 59 minutes east a distance of 123.8 feet to the P.C. of a 1 degree  
58 curve to the left, said curve having an interior angle of 13 degrees 30  
59 minutes; thence northeasterly along said curve a distance of 540.7 feet to the  
60 true point of beginning at Survey Station 729+47.5 on the center line of said  
61 proposed traffic lane; thence south along the west line of grantors premises  
62 and in the center of an old road, a distance of 80 feet to a point; thence in a  
63 northeasterly direction by a curve to the left having a radius of 5809.65 feet,  
64 paralleling and 80 feet southerly from the center line of said traffic lane, a  
65 distance of 286 feet to a point opposite Station 732+25; thence in a

66           northeasterly direction on a straight line a distance of 30 feet to a point  
67           opposite and 65 feet southerly from Station 732+50; thence northeasterly  
68           curving to the left with a radius of 5794.65 feet, paralleling and 65 feet  
69           southerly from said center line a distance of 357 feet to a point on the east  
70           line of grantors premises; thence north along said line a distance of 66 feet  
71           to Station 735+22 on the center line of said traffic lane; thence continuing  
72           north along said property line a distance of 315 feet, more or less, to the  
73           south line of the right-of-way as heretofore secured for the original Route  
74           US 40; thence west along said line a distance of 660 feet, more or less, to the  
75           Northwest Corner of grantors premises; thence south along the west line of  
76           grantors property and in the center of an old road a distance of 410 feet to  
77           the said true point of beginning.

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79           Also, a strip of land to be used as right-of-way for a road approach and  
80           described as follows: Beginning at Station 729+47.5 on the center line of the  
81           above described traffic lane; thence south 0 degrees 37 minutes east a  
82           distance of 80 feet to the true point of beginning on the southerly line of the  
83           tract first described above and at Station 0+54.4 on the center line of a  
84           survey of said road approach; thence continuing south 0 degrees 37 minutes  
85           east a distance of 445.6 feet to a point; thence east 40 feet to a point; thence  
86           North 0 degrees 37 minutes West paralleling and 40 feet east of the center  
87           line of said approach a distance of 275 feet to a point opposite Station 2+25;  
88           thence northerly a distance of 50 feet, more or less, to a point 45 feet east of  
89           Station 1+75; thence North 0 degrees 37 minutes West a distance of 120.6  
90           feet to the southerly line of the tract first described above; thence westerly  
91           along said line a distance of 45 feet to the said true point of beginning.

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93           The above described land for right-of-way contains 0.65 of an acre in an old  
94           road and 6.47 acres is additional land from grantors herein, lying, situate  
95           and being in the E½ of the NW¼ NW¼ of Sec. 1, T48N, R31W.

96  
97           All as shown on approved plans now on file in the office of the County Clerk  
98           of Jackson County, Missouri.

99  
100           2. The commissioner of administration shall set the terms and conditions for the  
101           conveyance as the commissioner deems reasonable. Such terms and conditions may  
102           include, but are not limited to, the number of appraisals required, the time, place, and  
103           terms of the conveyance.

104           3. The attorney general shall approve the form of the instrument of conveyance.

          Section 6. 1. The governor is hereby authorized and empowered to sell, transfer,  
2           grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in  
3           real property located in the City of Holden, Johnson County, to the state highways and

4 **transportation commission. The property to be conveyed is more particularly described**  
5 **as follows:**

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**Beginning at the point of intersection of the South right-of-way line of State Highway Route 58 with the North-South centerline of Section 14, Township 45 North, Range 28 West, in the City of Holden, Johnson County, Missouri; thence west along the south right-of-way line of said Route 58 a distance of 475.19 feet to an angle point; thence on an angle of 90°, south 435.2 feet to the true point of beginning of the tract to be described; thence east 300.27 feet; thence south 105 feet; thence westerly along a straight line to a point 80 feet south of the said true point of beginning; thence north 80 feet to the beginning. Said tract contains 0.64 of an acre of land.**

17 **2. The commissioner of administration shall set the terms and conditions for the**  
18 **conveyance as the commissioner deems reasonable. Such terms and conditions may**  
19 **include, but are not limited to, the number of appraisals required, the time, place, and**  
20 **terms of the conveyance.**

21 **3. The attorney general shall approve the form of the instrument of conveyance.**

**Section 7. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in real property located in the City of Willow Springs, Howell County, to the state highways and transportation commission. The property to be conveyed is more particularly described as follows:**

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**Tract 1**

8  
9 **All that part of the North half of the southwest quarter of the southeast**  
10 **quarter (N½ SW¼ SE¼) of Section 19, Township 27 North, Range 9 West**  
11 **Described as follows:**

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13  
14  
15  
16

**Beginning at a point 10 rods north and 16 rods east of the southwest corner of the north half of the southwest quarter of the southeast quarter of said Section 19; thence run north 292 feet; thence east 100 feet; thence south 292 feet; thence west 100 feet to the place of beginning.**

17  
18

**Containing 0.68 acres, more or less.**

19  
20  
21

**Tract 2**

22 **The South 292 feet of that part of the North half of the southwest quarter of**  
23 **the southeast quarter (S 292' N½ SW¼ SE¼) of Section 19, Township 27**  
24 **North, Range 9 West. As described in a deed executed on the 22nd day of**

25           **December, 1922, and recorded in Book 179 at Page 330, records of Howell**  
26           **County, and more particularly described as follows:**

27  
28           **Beginning 10 rods north of the southwest corner of the north half of the**  
29           **southwest quarter of the southeast quarter of said Section 19; thence run**  
30           **north 292 feet; thence east 264 feet; thence south 292 feet; thence west 264**  
31           **feet to the place of beginning.**

32  
33           **Containing 1.77 acres, more or less.**

34  
35           **2. The commissioner of administration shall set the terms and conditions for the**  
36           **conveyance as the commissioner deems reasonable. Such terms and conditions may**  
37           **include, but are not limited to, the number of appraisals required, the time, place, and**  
38           **terms of the conveyance.**

39           **3. The attorney general shall approve the form of the instrument of conveyance.**

**Section 8. 1. The governor is hereby authorized and empowered to sell, transfer,**  
2           **grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in**  
3           **real property located in the City of Wasola, Ozark County, to the state highways and**  
4           **transportation commission. The property to be conveyed is more particularly described**  
5           **as follows:**

6  
7           **A parcel of land lying adjacent to and on the southerly side of the southerly**  
8           **right of way line of Route 95 as it is now located and established over and**  
9           **across the west half of Lot One of the Northwest quarter of Section 2,**  
10           **Township 24 North, Range 15 West.**

11  
12           **Said parcel being more particularly described as follows:**

13  
14           **Beginning at a point on said southerly line opposite Sta. 17+03; said point**  
15           **being on the east boundary of said tract distant 485 feet south of the**  
16           **northeast corner thereof; thence south along said east boundary 200 feet;**  
17           **thence west 293 feet; thence north 170 feet to a point on said southerly line**  
18           **opposite Sta. 20+12; thence easterly along said southerly line to the place of**  
19           **beginning.**

20  
21           **The above described parcel has an area of 1.36 acres, more or less.**

22  
23           **2. The commissioner of administration shall set the terms and conditions for the**  
24           **conveyance as the commissioner deems reasonable. Such terms and conditions may**  
25           **include, but are not limited to, the number of appraisals required, the time, place, and**  
26           **terms of the conveyance.**

27           **3. The attorney general shall approve the form of the instrument of conveyance.**

**Section 9. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in real property located in the City of Buffalo, Dallas County, to the state highways and transportation commission. The property to be conveyed is more particularly described as follows:**

**That part of the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 27, Township 34N, Range 20W situated bounded and described as follows:**

**Commencing at the northeast corner of the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 27, Township 34N, Range 20W, thence South 662.7 feet, more or less, West 40 feet to the right of West right right of way line of U.S. Route 65, opposite survey station 930+51.7 of the survey for said Route for a beginning, thence S 1° 28'W on said West right of way line a distance of 149.7 feet, thence N 88° 52'W a distance of 291 feet, thence N 1° 28'E a distance of 149.7 feet, thence S 88° 52'E a distance of 291 feet to the beginning point**

**Containing 1.00 acres, more or less.**

**2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.**

**3. The attorney general shall approve the form of the instrument of conveyance.**

**Section 10. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in real property located in Appleton City, St. Clair County, to the state highways and transportation commission. The property to be conveyed is more particularly described as follows:**

**All of Lot nine (9) in Block three (3), of Grantley's Addition to Appleton City, Missouri.**

**2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.**

**3. The attorney general shall approve the form of the instrument of conveyance.**

**Section 11. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in real property located in the City of Mehlville, St. Louis County, to the state highways and transportation commission. The property to be conveyed is more particularly described as follows:**

**Tracts or parcels of land, lying, being and situate in the County of St. Louis and in the State of Missouri, to wit: lying in block 69 of Carondelet Commons, South of River Des Peres, in U.S. Survey 3102, township 44 North range 6 East, St. Louis County, Missouri; BEGINNING at station 20+02.31 on the centerline of state highway 77TR, where said centerline crosses the grantors northwest property line, being also the line dividing the property now or formerly of R.J. Riviere on the Northwest and Ernest and Arthur Dohack on the southeast, distant North 35° 56 minutes East 28.62 feet from a stone set in said line in the Southwest line of Sappington Barracks Road, or Lindbergh Boulevard, 60 feet wide, thence following the centerline of said state highway South 62° 16 minutes East 808.31 feet to station 28+10.62, where said centerline crosses the Southeast line of block 70 of said Carondelet Commons, North 35° 46 minutes East 119.87 feet from the most Eastern Corner of said block 69. This Deed is to convey all the grantors' land lying within the grantors' Northeast property line and a line 100 feet perpendicular distance Southwest of and parallel to the centerline of said state highway from the grantors' Northwest property line to a point where said 100 foot line will intersect grantor's Northeast property line opposite approximate station 27+30, containing thirty-eight (0.38) hundredths of an acre, more or less.**

**2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.**

**3. The attorney general shall approve the form of the instrument of conveyance.**

**Section 12. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in real property located in the City of Rich Hill, Bates County, to the state highways and transportation commission. The property to be conveyed is more particularly described as follows:**

**All of a tract of land lying in the southeast corner of the northeast quarter of the southeast quarter of Section 5, in Township 38 North of Range 31 West, more particularly described as follows: Beginning 30.0 feet west of the**

10 southeast corner of the northeast quarter of the southeast quarter of Section  
11 5, and running thence west 250.0 feet; thence north 175.0 feet; thence east  
12 250.0 feet, and thence south 175.0 feet to the place of beginning, containing  
13 one (1) acre, more or less.  
14

15 2. The commissioner of administration shall set the terms and conditions for the  
16 conveyance as the commissioner deems reasonable. Such terms and conditions may  
17 include, but are not limited to, the number of appraisals required, the time, place, and  
18 terms of the conveyance.

19 3. The attorney general shall approve the form of the instrument of conveyance.

2 [190.400. As used in sections 190.400 to 190.440, the following words  
and terms shall mean:

3 (1) "911", the primary emergency telephone number within the wireless  
4 system;

5 (2) "Board", the wireless service provider enhanced 911 advisory board;

6 (3) "Public safety agency", a functional division of a public agency which  
7 provides fire fighting, police, medical or other emergency services. For the  
8 purpose of providing wireless service to users of 911 emergency services, as  
9 expressly provided in this section, the department of public safety and state  
10 highway patrol shall be considered a public safety agency;

11 (4) "Public safety answering point", the location at which 911 calls are  
12 initially answered;

13 (5) "Wireless service provider", a provider of commercial mobile service  
14 pursuant to Section 332(d) of the Federal Telecommunications Act of 1996 (47  
15 U.S.C. Section 151 et seq).]  
16

2 [190.410. 1. There is hereby created in the department of public safety  
the "Wireless Service Provider Enhanced 911 Advisory Board", consisting of  
3 eight members as follows:

4 (1) The director of the department of public safety or the director's  
5 designee who shall hold a position of authority in such department of at least a  
6 division director;

7 (2) The chairperson of the public service commission or the chairperson's  
8 designee; except that such designee shall be a commissioner of the public service  
9 commission or hold a position of authority in the commission of at least a  
10 division director;

11 (3) Three representatives and one alternate from the wireless service  
12 providers, elected by a majority vote of wireless service providers licensed to  
13 provide service in this state; and

14 (4) Three representatives from public safety answering point  
15 organizations, elected by the members of the state chapter of the associated  
16 public safety communications officials and the state chapter of the National  
17 Emergency Numbering Association.

18           2. Immediately after the board is established the initial term of  
19 membership for a member elected pursuant to subdivision (3) of subsection 1 of  
20 this section shall be one year and all subsequent terms for members so elected  
21 shall be two years. The membership term for a member elected pursuant to  
22 subdivision (4) of subsection 1 of this section shall initially and subsequently be  
23 two years. Each member shall serve no more than two successive terms unless  
24 the member is on the board pursuant to subdivision (1) or (2) of subsection 1 of  
25 this section. Members of the board shall serve without compensation, however,  
26 the members may receive reimbursement of actual and necessary expenses. Any  
27 vacancies on the board shall be filled in the manner provided for in this  
28 subsection.

29           3. The board shall do the following:

30           (1) Elect from its membership a chair and other such officers as the board  
31 deems necessary for the conduct of its business;

32           (2) Meet at least one time per year for the purpose of discussing the  
33 implementation of Federal Communications Commission order 94-102;

34           (3) Advise the office of administration regarding implementation of  
35 Federal Communications Commission order 94-102; and

36           (4) Provide any requested mediation service to a political subdivision  
37 which is involved in a jurisdictional dispute regarding the providing of wireless  
38 911 services. The board shall not supersede decision-making authority of any  
39 political subdivision in regard to 911 services.

40           4. The director of the department of public safety shall provide and  
41 coordinate staff and equipment services to the board to facilitate the board's  
42 duties.]

43

2           [190.420. 1. There is hereby established in the state treasury a fund to be  
3 known as the "Wireless Service Provider Enhanced 911 Service Fund". All fees  
4 collected pursuant to sections 190.400 to 190.440 by wireless service providers  
5 shall be remitted to the director of the department of revenue. The director shall  
6 remit such payments to the state treasurer.

7           2. The state treasurer shall deposit such payments into the wireless  
8 service provider enhanced 911 service fund. Moneys in the fund shall be used  
9 for the purpose of reimbursing expenditures actually incurred in the  
10 implementation and operation of the wireless service provider enhanced 911  
11 system.

12           3. Any unexpended balance in the fund shall be exempt from the  
13 provisions of section 33.080, relating to the transfer of unexpended balances to  
14 the general revenue fund, and shall remain in the fund. Any interest earned on  
15 the moneys in the fund shall be deposited into the fund.]

15

2           [190.430. 1. The commissioner of the office of administration is  
authorized to establish a fee, if approved by the voters pursuant to section

3 190.440, not to exceed fifty cents per wireless telephone number per month to be  
4 collected by wireless service providers from wireless service customers.

5 2. The office of administration shall promulgate rules and regulations to  
6 administer the provisions of sections 190.400 to 190.440. Any rule or portion of  
7 a rule, as that term is defined in section 536.010, that is promulgated pursuant to  
8 the authority delegated in sections 190.400 to 190.440 shall become effective  
9 only if it has been promulgated pursuant to the provisions of chapter 536. All  
10 rulemaking authority delegated prior to July 2, 1998, is of no force and effect and  
11 repealed; however, nothing in this section shall be interpreted to repeal or affect  
12 the validity of any rule filed or adopted prior to July 2, 1998, if it fully complied  
13 with the provisions of chapter 536. This section and chapter 536 are  
14 nonseverable and if any of the powers vested with the general assembly pursuant  
15 to chapter 536 to review, to delay the effective date or to disapprove and annul  
16 a rule are subsequently held unconstitutional, then the grant of rulemaking  
17 authority and any rule proposed or adopted after July 2, 1998, shall be invalid and  
18 void.

19 3. The office of administration is authorized to administer the fund and  
20 to distribute the moneys in the wireless service provider enhanced 911 service  
21 fund for approved expenditures as follows:

22 (1) For the reimbursement of actual expenditures for implementation of  
23 wireless enhanced 911 service by wireless service providers in implementing  
24 Federal Communications Commission order 94-102; and

25 (2) To subsidize and assist the public safety answering points based on  
26 a formula established by the office of administration, which may include, but is  
27 not limited to the following:

28 (a) The volume of wireless 911 calls received by each public safety  
29 answering point;

30 (b) The population of the public safety answering point jurisdiction;

31 (c) The number of wireless telephones in a public safety answering point  
32 jurisdiction by zip code; and

33 (d) Any other criteria found to be valid by the office of administration  
34 provided that of the total amount of the funds used to subsidize and assist the  
35 public safety answering points, at least ten percent of said funds shall be  
36 distributed equally among all said public safety answering points providing said  
37 services under said section;

38 (3) For the reimbursement of actual expenditures for equipment for  
39 implementation of wireless enhanced 911 service by public safety answering  
40 points to the extent that funds are available, provided that ten percent of funds  
41 distributed to public safety answering points shall be distributed in equal amounts  
42 to each public safety answering point participating in enhanced 911 service;

43 (4) Notwithstanding any other provision of the law, no proprietary  
44 information submitted pursuant to this section shall be subject to subpoena or  
45 otherwise released to any person other than to the submitting wireless service  
46 provider, without the express permission of said wireless service provider.

47 General information collected pursuant to this section shall only be released or  
48 published in aggregate amounts which do not identify or allow identification of  
49 numbers of subscribers or revenues attributable to an individual wireless service  
50 provider.

51 4. Wireless service providers are entitled to retain one percent of the  
52 surcharge money they collect for administrative costs associated with billing and  
53 collection of the surcharge.

54 5. No more than five percent of the moneys in the fund, subject to  
55 appropriation by the general assembly, shall be retained by the office of  
56 administration for reimbursement of the costs of overseeing the fund and for the  
57 actual and necessary expenses of the board.

58 6. The office of administration shall review the distribution formula once  
59 every year and may adjust the amount of the fee within the limits of this section,  
60 as determined necessary.

61 7. The provisions of sections 190.307 and 190.308 shall be applicable to  
62 programs and services authorized by sections 190.400 to 190.440.

63 8. Notwithstanding any other provision of the law, in no event shall any  
64 wireless service provider, its officers, employees, assigns or agents, be liable for  
65 any form of civil damages or criminal liability which directly or indirectly result  
66 from, or is caused by, an act or omission in the development, design, installation,  
67 operation, maintenance, performance or provision of 911 service or other  
68 emergency wireless two- and three-digit wireless numbers, unless said acts or  
69 omissions constitute gross negligence, recklessness or intentional misconduct.  
70 Nor shall any wireless service provider, its officers, employees, assigns, or agents  
71 be liable for any form of civil damages or criminal liability which directly or  
72 indirectly result from, or is caused by, the release of subscriber information to any  
73 governmental entity as required under the provisions of this act unless the release  
74 constitutes gross negligence, recklessness or intentional misconduct.]  
75

2 [190.440. 1. The office of administration shall not be authorized to  
3 establish a fee pursuant to the authority granted in section 190.430 unless a ballot  
4 measure is submitted and approved by the voters of this state. The ballot measure  
5 shall be submitted by the secretary of state for approval or rejection at the general  
6 election held and conducted on the Tuesday immediately following the first  
7 Monday in November, 1998, or at a special election to be called by the governor  
8 on the ballot measure. If the measure is rejected at such general or special  
9 election, the measure may be resubmitted at each subsequent general election, or  
10 may be resubmitted at any subsequent special election called by the governor on  
11 the ballot measure, until such measure is approved.

12 2. The ballot of the submission shall contain, but is not limited to, the  
13 following language:

14 Shall the Missouri Office of Administration be authorized to establish a fee of up  
15 to fifty cents per month to be charged every wireless telephone number for the  
purpose of funding wireless enhanced 911 service?

16                     YES             NO  
17

18                    If you are in favor of the question, place an "X" in the box opposite "Yes".  
19                    If you are opposed to the question, place an "X" in the box opposite "No".

20                    3. If a majority of the votes cast on the ballot measure by the qualified  
21 voters voting thereon are in favor of such measure, then the office of  
22 administration shall be authorized to establish a fee pursuant to section 190.430,  
23 and the fee shall be effective on January 1, 1999, or the first day of the month  
24 occurring at least thirty days after the approval of the ballot measure. If a  
25 majority of the votes cast on the ballot measure by the qualified voters voting  
26 thereon are opposed to the measure, then the office of administration shall have  
27 no power to establish the fee unless and until the measure is approved.]  
28

                      [650.320. For the purposes of sections 650.320 to 650.340, the following  
2 terms mean:

3                    (1) "Committee", the advisory committee for 911 service oversight  
4 established in section 650.325;

5                    (2) "Public safety answering point", the location at which 911 calls are  
6 initially answered;

7                    (3) "Telecommunicator", any person employed as an emergency  
8 telephone worker, call taker or public safety dispatcher whose duties include  
9 receiving, processing or transmitting public safety information received through  
10 a 911 public safety answering point.]  
11

                      Section B. Because immediate action is necessary to allow counties to amend budgets  
2 in fiscal years in which counties experience a decline of funds, the repeal and reenactment of  
3 section 50.622 of this act is deemed necessary for the immediate preservation of the public  
4 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the  
5 meaning of the constitution, and the repeal and reenactment of section 50.622 of this act shall  
6 be in full force and effect upon its passage and approval.

✓